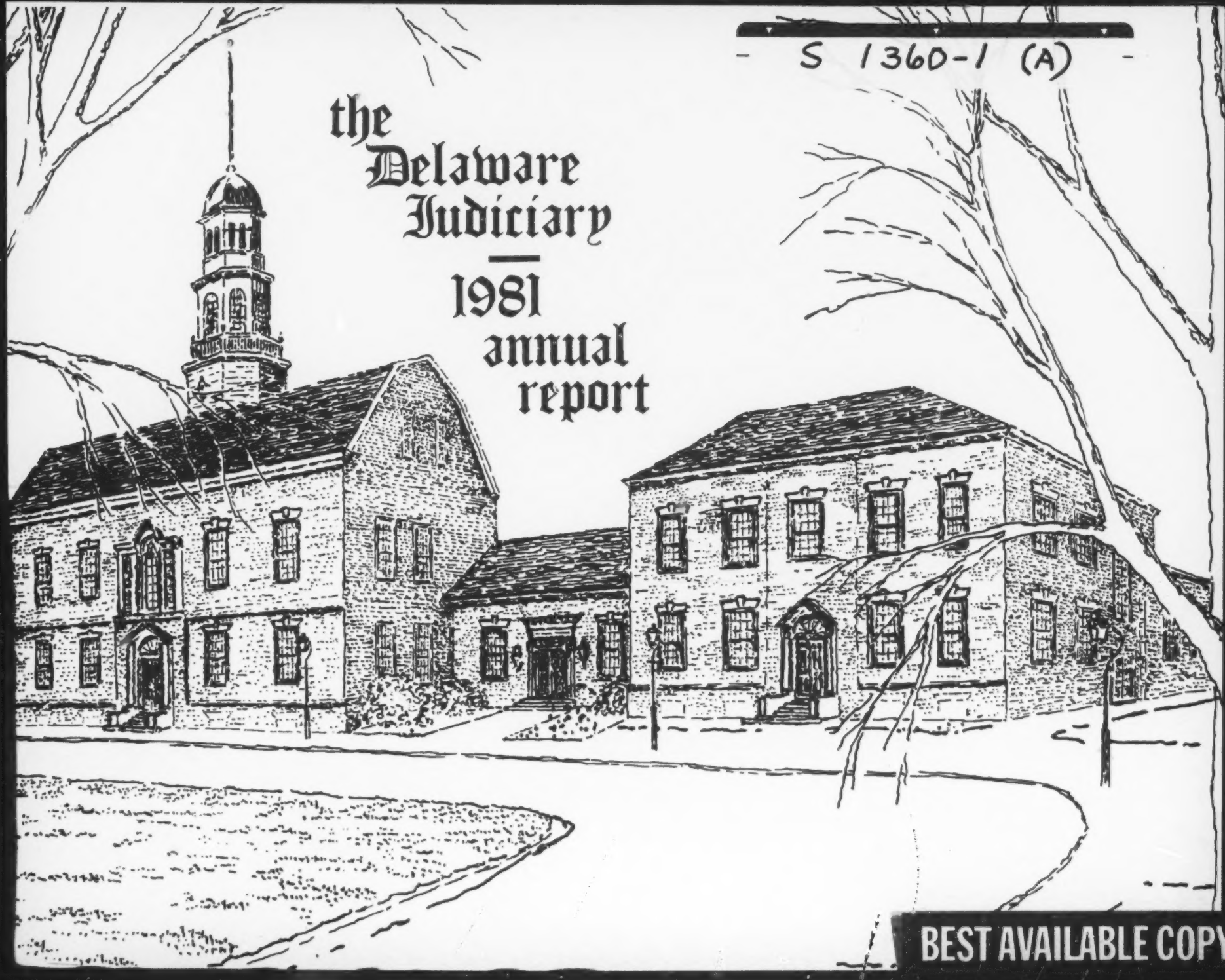
S 1360-1 (A)

the Delaware Judiciary — 1981 annual report



BEST AVAILABLE COPY

COVER

The Supreme Court Building (right) and the Old State House, prior to 1976 renovations
55 The Green, Dover

Pen and ink drawing - anonymous

1981
ANNUAL REPORT OF THE DELAWARE JUDICIARY

January 29, 1982

prepared by the

ADMINISTRATIVE OFFICE OF THE COURTS

John R. Fisher
Director

Lowell L. Groundland
Deputy Director

Vincent P. Meconi
Manager, Planning & Research

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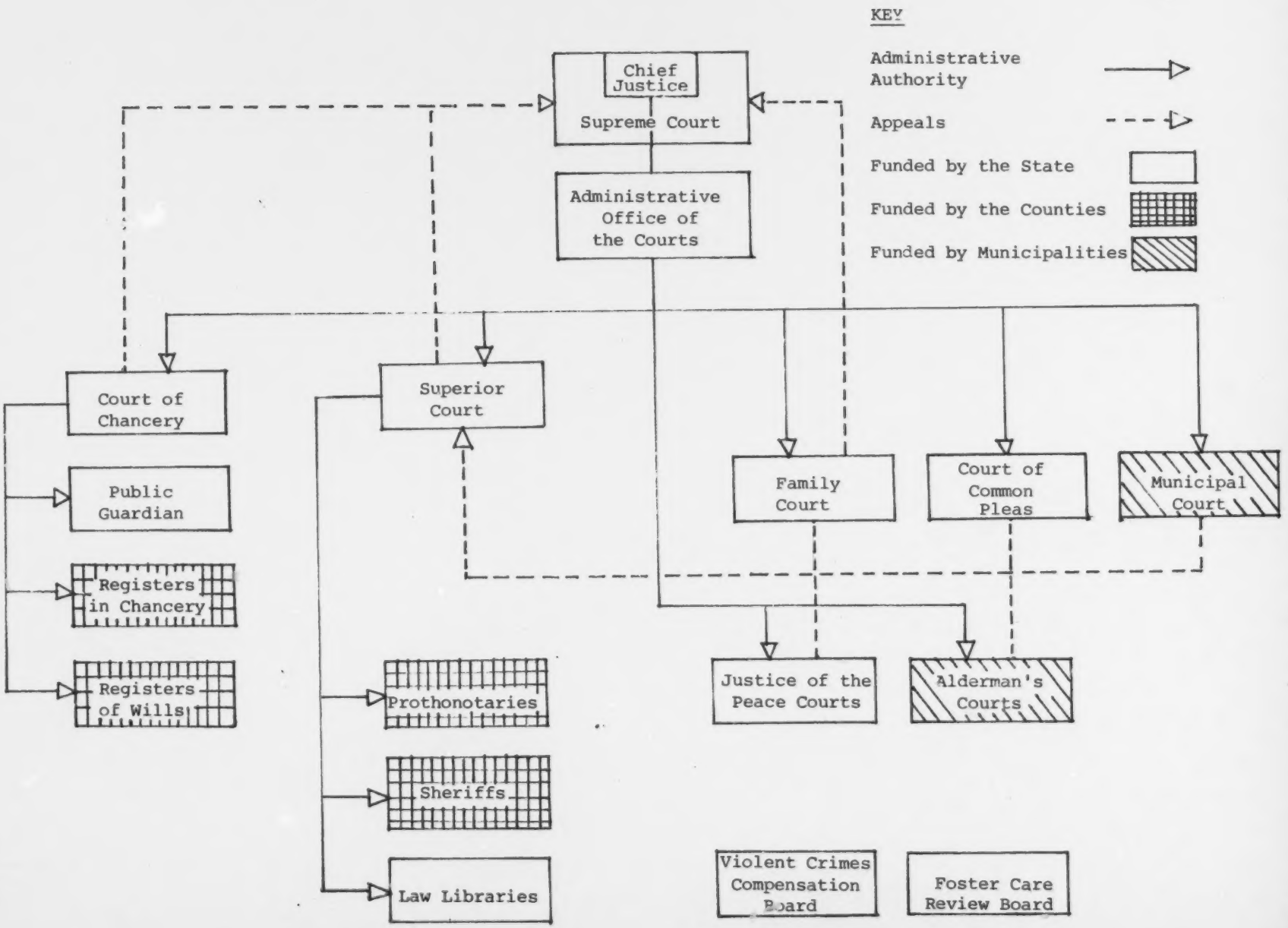
Introduction & Overview

THE DELAWARE JUDICIAL SYSTEM



SUMMARY OF JUDICIAL BUDGETS

FISCAL YEARS 1980-1981-1982-1983

	F.Y. 1980 Actual Disbursement	F.Y. 1981 Actual Disbursement	F.Y. 1982 Budget	F.Y. 1983 Request
STATE*				
Administrative Office of the Courts	$ 2,391,300	$ 1,966,600	$ 2,263,000	$ 2,672,100
Supreme Court	566,100	602,600	705,100	1,008,800
Court of Chancery	345,700	357,700	437,200	586,900
Public Guardian	91,200	61,900	82,200	137,800
Superior Court	2,191,900	2,296,800	2,841,500	3,910,700
Law Libraries	145,400	167,600	193,300	228,900
Family Court	3,914,700	4,548,000	5,059,300	6,391,700
Court of Common Pleas	910,900	995,800	1,252,100	1,592,300
Justice of the Peace Courts	2,415,100	2,781,600	3,706,900	4,220,800
Violent Crimes Compensation Board	362,700	382,800	405,700	421,600
Foster Care Review Board	24,200	77,500	107,100	114,100
STATE TOTALS	$13,359,200	$14,238,900	$17,053,400	$21,285,700
NEW CASTLE COUNTY				
Register in Chancery	$ 287,746	$ 324,671	$ 353,051	N.A.
Register of Wills	328,546	355,990	399,958	N.A.
Prothonotary	799,986	877,855	1,090,569	N.A.
Sheriff	631,589	689,337	707,637	N.A.
NEW CASTLE COUNTY TOTALS	$ 2,047,867	$ 2,247,853	$ 2,551,215	N.A.
KENT COUNTY				
Register in Chancery	$ 44,281	$ 48,466	$ 46,881	N.A.
Register of Wills	36,842	38,277	37,153	N.A.
Prothonotary	91,497	98,151	127,923	N.A.
Sheriff	75,596	79,479	80,098	N.A.
KENT COUNTY TOTALS	$ 248,216	$ 264,373	$ 292,055	N.A.

N.A. = Not Available

* Figures include State general funds, federal funds, and other funds.

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)

FISCAL YEARS 1980-1981-1982-1983

	F.Y. 1980 Actual Disbursement	F.Y. 1981 Actual Disbursement	F.Y. 1982 Budget	F.Y. 1983 Request
SUSSEX COUNTY				
Register in Chancery	$ 36,443	$ 41,799	$ 44,925	N.A.
Register of Wills	30,548	34,116	36,129	N.A.
Prothonotary	52,625	48,824	63,360	N.A.
Sheriff	72,295	79,173	61,246	N.A.
SUSSEX COUNTY TOTALS	$ 191,911	$ 213,912	$ 205,660	N.A.
MUNICIPALITIES				
Municipal Court*	$ 578,351	$ 626,046	$ 655,243	N.A.
Alderman's Courts	N.A.	N.A.	N.A.	N.A.
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH**	$16,425,545	$17,591,093	$20,757,573	$21,285,700

N.A. = Not Available

*Figures include City of Wilmington funds and federal funds.
**Totals for F.Y. 1979, F.Y. 1980, and F.Y. 1981 do not include Alderman's Courts. Totals for F.Y. 1982 do not include Municipal Court, Alderman's Courts, or any County funds.

COURT-GENERATED REVENUE*

FISCAL YEAR 1981

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as % of Operating Budget##
SUBMITTED TO STATE GENERAL FUND						
Administrative Office of the Courts	$ 0	$ 0	$ 0	$ 200	$ 200	¶
Supreme Court	7,600	0	0	2,500	10,100	1.7%
Court of Chancery	0	0	377,800	44,900	422,700	118.2%
Public Guardian	0	0	0	2,200	2,200	3.6%
Superior Court	19,800	5,700	2,900	2,000	30,400	1.3%
Law Libraries	0	0	0	0	0	0.0%
Family Court	306,600	26,300	0	6,600	339,500	7.5%
Court of Common Pleas	75,700	124,900	0	1,800	202,400	20.3%
Justice of the Peace Courts	1,229,600	1,613,500	0	7,200	2,850,300	102.5%
Foster Care Review Board	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS	$1,639,300	$1,770,400	$380,700	$67,400	$3,857,800	27.8%
SUBMITTED TO VICTIMS COMPENSATION FUND						
Superior Court	-	$ 18,704	-	-	$ 18,704	-
Family Court	-	348	-	-	348	-
Court of Common Pleas	-	16,973	-	-	16,973	-
Municipal Court	-	42,185	-	-	42,185	-
Justice of the Peace Courts	-	227,982	-	-	227,982	-
Alderman's Courts	-	37,125	-	-	37,125	-
Violent Crimes Compensation Board	-	0	-	-	0	89.7%¶¶
VICTIMS COMPENSATION FUND TOTALS	-	$ 343,317	-	-	$ 343,317	89.7%¶¶
SUBMITTED TO NEW CASTLE COUNTY						
Register in Chancery	$ 129,109	$ 0	$327,117	$ 0	$ 456,226	140.5%
Register of Wills	794,736	0	0	0	794,736	223.2%
Prothonotary	332,600	0	2,163	1,403	336,166	38.3%
Sheriff	111,822	0	0	0	111,822	16.2%
NEW CASTLE COUNTY TOTALS	$1,368,267	$ 0	$329,280	$ 1,403	$1,698,950	75.6%

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.
**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.
#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.
##FY 1981 Revenue divided by FY 1981 Actual Disbursement, which includes State General, federal, and other funds.
¶Less than one-tenth of 1%.
¶¶All Victims Compensation Fund monies collected by other courts are submitted to the Violent Crimes Compensation Board.

COURT-GENERATED REVENUE (CONTINUED)*

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as % of Operating Budget##
SUBMITTED TO KENT COUNTY						
Register in Chancery	$ 10,352	$ 0	$ 50,330	$ 0	$ 60,682	129.4%
Register of Wills	N.A.	N.A.	N.A.	N.A.	101,741	273.8%
Prothonotary	58,959	0	991	0	59,950	46.9%
Sheriff	N.A.	N.A.	N.A.	N.A.	19,856	24.8%
KENT COUNTY TOTALS	N.A.	N.A.	N.A.	N.A.	$ 242,229	82.9%
SUBMITTED TO SUSSEX COUNTY						
Register in Chancery	N.A.	N.A.	N.A.	N.A.	$ 12,049	26.8%
Register of Wills	N.A.	N.A.	N.A.	N.A.	137,612	380.9%
Prothonotary	N.A.	N.A.	N.A.	N.A.	46,940	74.1%
Sheriff	N.A.	N.A.	N.A.	N.A.	10,852	17.7%
SUSSEX COUNTY TOTALS	N.A.	N.A.	N.A.	N.A.	$ 207,453	100.9%
SUBMITTED TO MUNICIPALITIES						
Municipal Court	$ 103,741	$ 857,632	$ 0	$ 0	$ 961,373	146.7%
Justice of the Peace Courts	0	551,763	0	0	551,763	¶
Alderman's Courts	127,479	521,229	0	0	648,708	N.A.
MUNICIPALITIES TOTALS	$ 231,220	$1,930,624	$ 0	$ 0	$2,161,844	N.A.
GRAND TOTALS - JUDICIAL BRANCH¶¶	$3,308,098	$4,044,341	$761,301	$68,803	$8,511,593	48.4%§

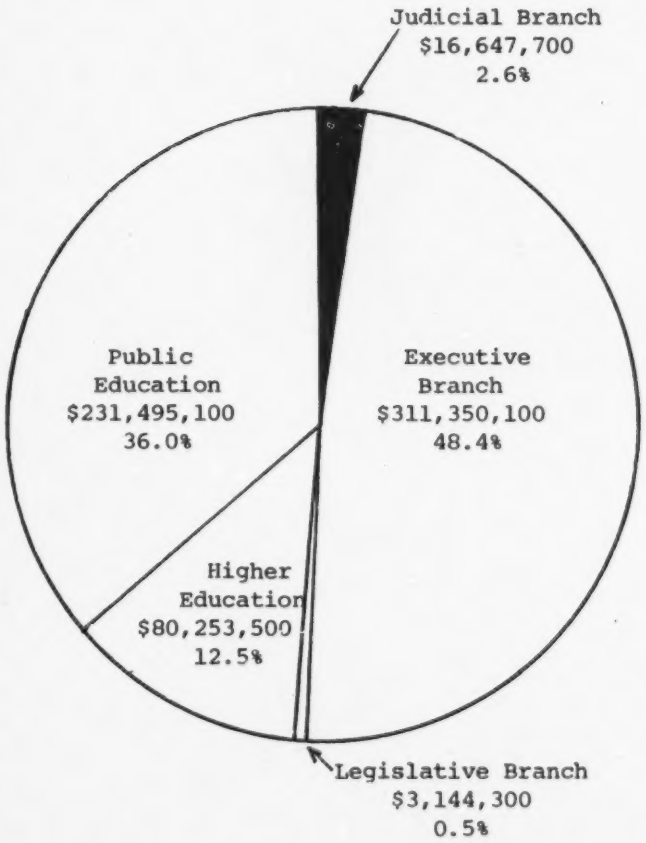
N.A. = Not Available

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.
**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.
#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.
##FY 1981 Revenue divided by FY 1981 Actual Disbursement, which includes State General, federal, and other funds.
¶Total revenue generated by the Justice of the Peace Courts in FY 1981 was $3,402,063, which represents 122.3% of expenditures for that year.
¶¶Column totals do not sum to grand totals because some Kent and Sussex County breakdowns are not available.
§This figure is approximate as some expenditure data is not available.

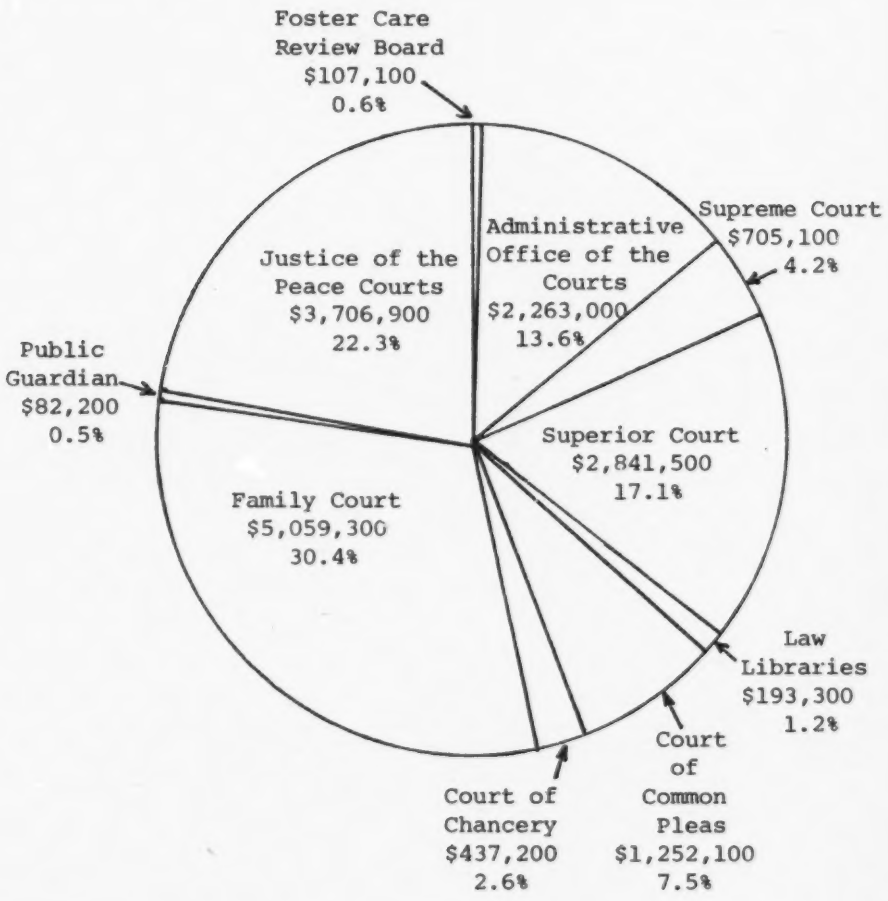
DELAWARE STATE GOVERNMENT APPROPRIATIONS*

FISCAL YEAR 1982

STATE APPROPRIATIONS - TOTAL
$642,890,700



STATE APPROPRIATIONS - JUDICIARY
$16,647,700**



*State general fund monies only.
**Excludes $405,700 in special fund monies appropriated to the Violent Crimes Compensation Board.

Source: 131st General Assembly, House Substitute 1 for House Bill 250

Administrative Office of the Courts

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1, during the 1971 General Assembly.

Duties

The Administrative Office of the Courts serves as the focal point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Supreme Court, Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is largely responsible for the acquisition of space or facilities for the judicial system, and is responsible for the supervision of lease negotiations and the payment of all rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. The Administrative Office of the Courts has responsibility for the development and maintenance of the computerized judicial information system. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The AOC will implement and manage the upcoming judicial personnel system. The Administrative Office of the Courts collects statistics from the various courts and produces the Annual Report of the Judiciary. The AOC also performs other duties as prescribed by the Chief Justice.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2480)

Data Processing Center
Mezzanine
Public Building
1020 King Street
Wilmington, DE 19801
(571-2344)

PERSONNEL

Director
John R. Fisher
Carolyn Walker, Secretary

Deputy Director
Lowell L. Groundland

Supervisor of Accounting
E. Dawn Bowman

Accounting Clerk
Georgia A. Roberts

Personnel Manager
Robert A. Homiller

Personnel/Accounting Assistant
E. Lynn Deramo

Secretary
Maria Cook

Manager, Planning and Research
Vincent P. Meconi

Data Processing Manager
James P. Boulanger

Systems Analysts
Noreen O. Manning
James D. Spako

Computer Programmers
Christine L. Creegan
William B. Vanneman, Jr.

Computer Operators
Patricia A. Hall
Joseph Portale

Supreme Court

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section I. The Supreme Court has statewide jurisdiction and sits in Dover.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums and in civil cases as to final judgments and certain other orders of Superior Court, Court of Chancery, and Family Court. Appeals are heard on the record. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Clerk and Chief Deputy Clerk, law clerks, and secretaries.

Caseload Trend

A total of 337 criminal and civil cases were filed in FY 1981, 4 more than in FY 1980. The total of 348 dispositions in FY 1981 represents a 5.2% decrease from the 366 dispositions in FY 1980, which was an all-time high. As a result, the number of pending cases decreased for the third straight year, from 278 to 267 in FY 1981. The pending count is now at its lowest since the end of FY 1975. This may be attributed to the enlargement of the Court to 5 Justices. From filing to disposition, civil appeals were disposed of in an average of 281.4 days, criminal appeals in an average of 397.5 days, and other cases in an average of 191.7 days. The average of all cases combined was 315.5 days from filing to disposition, slightly more than the average of 313.0 days in FY 1980.

SUPREME COURT

JUDICIARY

NEW CASTLE COUNTY

Chief Justice
Hon. Daniel L. Herrmann (D, 8/9/85)
C. Jane Obold, Secretary
(571-2427)

Associate Justices
Hon. William Duffy (D, 8/9/85)
Ruth Laird, Secretary
(571-3730)
Hon. William T. Quillen (D, 10/30/90)
Barbara Normille, Secretary
(571-3700)

KENT COUNTY

Associate Justice
Hon. Henry R. Horsey (R, 10/30/90)
Audrey F. Bacino, Secretary
(736-4214)

SUSSEX COUNTY

Associate Justice
Hon. John J. McNeilly (R, 10/25/86)
Ida Mae Ellis, Secretary
(856-5365)

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Supreme Court Chambers
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801

Chief Deputy Clerk of the Supreme Court
Stephen D. Taylor
(571-3706)

Administrative Secretary
Lois D. Taylor
(571-2429)

Law Clerks
Wayne J. Carey
(571-3737)
Darrell J. Minott
(571-2594)
James B. Ropp
(571-3799)

Receptionist
Joanne Spoonamore
(571-2425)

KENT COUNTY

Supreme Court Building
55 The Green
P.O. Box 476
Dover, DE 19901

Clerk of the Supreme Court
T. E. Townsend, Jr.
(736-4155, 734-3001)

Deputy Clerk
Cathy L. Howard

Bailiff
Charles W. Atkins
(736-4155)

Joseph J. Rhoades
(736-4214)

SUSSEX COUNTY

Supreme Court Chambers
208 Sussex County Courthouse
The Circle
Georgetown, DE 19947

Kevin J. Connors
(856-5363)

SUPREME COURT

FISCAL YEAR 1981
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
Criminal Appeals	131	130	116	145	+14	+ 10.7%
Civil Appeals	134	190	214	110	-24	- 17.9%
Certifications	3	4	5	2	- 1	- 33.3%
Original Applications	8	11	9	10	+ 2	+ 25.0%
Advisory Opinions	0	2	2	0	0	0.0%
Censor Committee	2	0	2	0	- 2	-100.0%
TOTALS	278*	337	348	267	-11	- 4.0%

COMPARISON - FISCAL YEARS 1980-1981
WORKLOAD

FILINGS

	1980	1981	Change	% Change
Criminal Appeals	107	130	+23	+ 21.5%
Civil Appeals	215	190	-25	- 11.6%
Certifications	5	4	- 1	- 20.0%
Original Applications	5	11	+ 6	+120.0%
Advisory Opinions	0	2	+ 2	**
Censor Committee	1	0	- 1	-100.0%
TOTALS	333*	337	+ 4	+ 1.2%

DISPOSITIONS

	1980	1981	Change	% Change
Criminal Appeals	111	116	+ 5	+ 4.5%
Civil Appeals	242	214	-28	- 11.6%
Certifications	8	5	- 3	- 37.5%
Original Applications	3	9	+ 6	+200.0%
Advisory Opinions	2	2	0	0.0%
Censor Committee	1	2	+ 1	+100.0%
TOTALS	367*	348	-19	- 5.2%

*Adjusted from 1980 Annual Report.
**Infinite increase.

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1981
WORKLOAD BREAKDOWNS

FILINGS	Court of Chancery		Superior Court		Family Court		Court of Common Pleas		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	128	98.5%	0	0.0%	2	1.5%	0	0.0%	130	100.0%
Civil Appeals	34	17.9%	112	58.9%	44	23.2%	0	0.0%	0	0.0%	190	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	100.0%	4	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	11	100.0%	11	100.0%
Advisory Opinions	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%	2	100.0%
Censor Committee	0	-	0	-	0	-	0	-	0	-	0	-
TOTALS	34	10.1%	240	71.2%	44	13.1%	2	0.6%	17	5.0%	337	100.0%

DISPOSITIONS	Court of Chancery		Superior Court		Family Court		Court of Common Pleas		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	115	99.1%	0	0.0%	1	0.9%	0	0.0%	116	100.0%
Civil Appeals	44	20.6%	120	56.1%	50	23.4%	0	0.0%	0	0.0%	214	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	100.0%	5	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	9	100.0%	9	100.0%
Advisory Opinions	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%	2	100.0%
Censor Committee	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%	2	100.0%
TOTALS	44	12.6%	235	67.5%	50	14.4%	1	0.3%	18	5.2%	348	100.0%

PENDING AT END OF YEAR	Court of Chancery		Superior Court		Family Court		Court of Common Pleas		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	144	99.3%	0	0.0%	1	0.7%	0	0.0%	145	100.0%
Civil Appeals	N.A.		N.A.		N.A.		0	0.0%	0	0.0%	110	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%	2	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	10	100.0%	10	100.0%
Advisory Opinions	0	-	0	-	0	-	0	-	0	-	0	-
Censor Committee	0	-	0	-	0	-	0	-	0	-	0	-
TOTALS	N.A.		N.A.		N.A.		1	0.4%	12	4.5%	267	100.0%

CHANGE IN PENDING	Court of Chancery	Superior Court	Family Court	Court of Common Pleas	Non-Court Originated	TOTALS
Criminal Appeals	0	+13	0	+1	0	+14
Civil Appeals	-10	- 8	-6	0	0	-24
Certifications	0	0	0	0	-1	- 1
Original Applications	0	0	0	0	+2	+ 2
Advisory Opinions	0	0	0	0	0	0
Censor Committee	0	0	0	0	-2	- 2
TOTALS	-10	+5	-6	+1	-1	-11

N.A. = Not Available

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

TOTAL NUMBER OF APPEALS FILED - 1950-1981

Fiscal Year	Number
1981	§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§ 337
1980	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 333*
1979	§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§ 342*
1978**	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 363*
1977	§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§§ 362
1976	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 341
1975	§§§§§§§§§§§§§§§§§§§§§§§§§§§ 273
1974	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 255
1973	§§§§§§§§§§§§§§§§§§§§§§§§§§§ 247
1972	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 250
1971	§§§§§§§§§§§§§§§§§ 176
1970#	¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶ 193
1969	§§§§§§§§§§§§§§§§§ 180
1968	¶¶¶¶¶¶¶¶¶¶¶¶¶ 126
1967	§§§§§§§§§§§ 123
1966##	¶¶¶¶¶¶¶¶¶¶ 104
1965##	§§§§§§§§§§§ 115
1964##	¶¶¶¶¶¶¶¶¶¶¶ 105
1963##	§§§§§§§§§§ 97
1962##	¶¶¶¶¶¶¶¶¶ 89
1961##	§§§§§§§ 68
1960##	¶¶¶¶¶¶ 63
1959##	§§§§§§§§ 79
1958##	¶¶¶¶¶¶ 63
1957##	§§§§§ 49
1956##	¶¶¶¶¶¶ 56
1955##	§§ 21
1954##	¶¶¶ 33
1953##	§§§ 32
1952##	¶¶¶¶ 35
1951##	§§§ 26
1950##	¶ 13

*Adjusted from 1980 Annual Report.
**Censor Committee cases were counted beginning in 1978.
#Beginning in 1970, cross-appeals were no longer counted separately.
##Calendar Year.

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1981
WORKLOAD
TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	Affirmed	Modified	Reversed	Reversed and Remanded	Remanded	Voluntary Dismissal	Court Dismissal	Leave to Appeal Denied	Transferred	TOTALS
Criminal Appeals	52 44.8%	5 4.3%	2 1.7%	11 9.5%	12 10.3%	24 20.7%	10 8.6%	0 0.0%	0 0.0%	116 100.0%
Civil Appeals	100 46.7%	16 7.5%	6 2.8%	15 7.0%	6 2.8%	44 20.6%	16 7.5%	9 4.2%	2 0.9%	214 100.0%
TOTALS	152 46.1%	21 6.4%	8 2.4%	26 7.9%	18 5.5%	68 20.6%	26 7.9%	9 2.7%	2 0.6%	330 100.0%

MISCELLANEOUS DISPOSITIONS

	Granted	Denied	Remanded	Voluntary Dismissal	Court Dismissal	Answered	Sanctions Applied	TOTALS
Certifications	3 60.0%	2 40.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	5 100.0%
Original Applications	1 11.1%	4 44.4%	1 11.1%	1 11.1%	2 22.2%	0 0.0%	0 0.0%	9 100.0%
Advisory Opinions	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	2 100.0%	0 0.0%	2 100.0%
Censor Committee	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	2 100.0%	2 100.0%
TOTALS	4 22.2%	6 33.3%	1 5.6%	1 5.6%	2 11.1%	2 11.1%	2 11.1%	18 100.0%

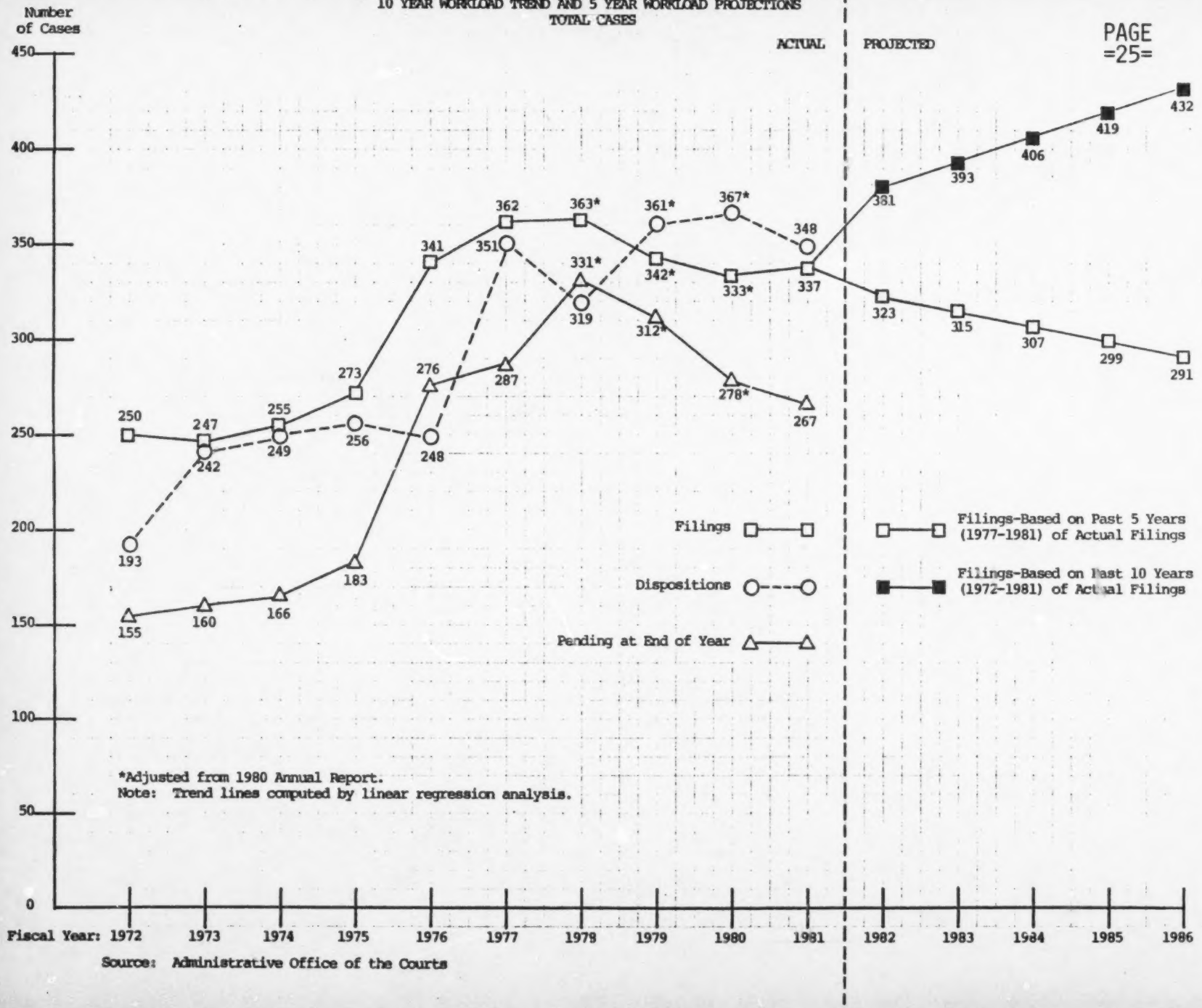
METHODS OF DISPOSITIONS

	Assigned Opinion	Per Curiam Opinion	Written Order	Voluntary Dismissal	Transfer	TOTALS
Criminal Appeals	24 20.7%	6 5.2%	62 53.4%	24 20.7%	0 0.0%	116 100.0%
Civil Appeals	51 23.8%	21 9.8%	96 44.9%	44 20.6%	2 0.9%	214 100.0%
Certifications	2 40.0%	0 0.0%	3 60.0%	0 0.0%	0 0.0%	5 100.0%
Original Applications	1 11.1%	3 33.3%	4 44.4%	1 11.1%	0 0.0%	9 100.0%
Advisory Opinions	0 0.0%	2 100.0%	0 0.0%	0 0.0%	0 0.0%	2 100.0%
Censor Committee	1 50.0%	1 50.0%	0 0.0%	0 0.0%	0 0.0%	2 100.0%
TOTALS	79 22.7%	33 9.5%	165 47.4%	69 19.8%	2 0.6%	348 100.0%

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

10 YEAR WORKLOAD TREND AND 5 YEAR WORKLOAD PROJECTIONS
TOTAL CASES



*Adjusted from 1980 Annual Report.
Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1981
PERFORMANCE SUMMARY

	Number of Dispositions	Average Time from Filing to Disposition
Criminal Appeals	116	397.5 days
Civil Appeals	214	281.4
Certifications	5	141.6
Original Applications	9	139.0
Advisory Opinions	2	12.5
Censor Committee	2	733.5
TOTALS	348	315.5 days

COMPARISON - FISCAL YEARS 1980-1981
PERFORMANCE SUMMARY

AVERAGE TIME FROM FILING TO DISPOSITION

	1980	1981	Change	% Change
Criminal Appeals	363.8 days	397.5 days	+ 33.7 days	+ 9.3%
Civil Appeals	297.1	281.4	- 15.7	- 5.3%
Certifications	17.3	141.6	+124.3	+718.5%
Original Applications	198.8	139.0	- 59.8	- 30.1%
Advisory Opinions	276.0	12.5	-263.5	- 95.5%
Censor Committee	388.0	733.5	+345.5	+ 89.0%
TOTALS	313.0 days*	315.5 days	+ 2.5 days	+ 0.8%

*Adjusted from 1980 Annual Report.

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1981
PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

Type of Disposition	Number of Dispositions	Average Time from Filing to Disposition
Affirmed	152	335.0 days
Modified	21	533.5
Reversed	8	293.9
Reversed and Remanded	26	414.7
Remanded	19	499.3
Voluntary Dismissal	69	237.0
Court Dismissal	28	183.3
Leave to Appeal Denied	9	25.8
Transferred	2	134.0
Granted	4	255.8
Denied	6	89.3
Answered	2	12.5
Sanctions Applied	2	733.5
TOTALS	348	315.5 days

ELAPSED TIME BY DISPOSITION METHOD

Type of Disposition	Number of Dispositions	Average Time from Filing to Disposition
Assigned Opinion	79	421.7 days
Per Curiam Opinion	33	326.0
Written Order	165	297.5
Voluntary Dismissal	69	237.0
Transfer	2	134.0
TOTALS	348	315.5 days

Source: Clerk and Chief Deputy Clerk of the Supreme Court

Court of Chancery

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown; that is, at one location in each county in the county seat.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, and the clearing of clouds on title, as well as commercial and contractual matters in general. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues in Superior Court.

Judges

One Chancellor and two Vice-Chancellors hold the Court of Chancery. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12 year terms. The Chancellor and Vice-Chancellors must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. The judges may appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasi-judicial powers are now held by the Court of Chancery. A Register of Wills is elected in each county for that county. The Chancellor names a Chief Deputy Register of Wills for each county.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person or property of the aged, the mentally infirm, and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Caseload Trend

The number of cases handled by the Court of Chancery and the corresponding change from the previous fiscal year varied within the three categories of work handled by the Court of Chancery (civil cases, miscellaneous matters, and estates) during fiscal year 1981. The number of civil cases filed fell from 440 in FY 1980 to 424 in FY 1981, which was a decrease of 3.6%. The 594 miscellaneous matters filed in FY 1981 was an increase of 25 filings from the FY 1980 total of 569, representing an increase of 4.4%. The 1,874 estates filed in FY 1981 was a 6.7% increase from the 1,757 filings in FY 1980. Civil case dispositions increased from 384 in FY 1980 to 415 in FY 1981, an 8.1% rise; however, pending cases rose by 9 (1.2%) from 751 at the end of FY 1980 to 760 at the end of FY 1981. The number of miscellaneous matters disposed of decreased from 483 in FY 1980 to 452 in FY 1981, a drop of 6.4%. Because of this decrease in the number of miscellaneous matters disposed of, the net pending count rose 3.2% from 4,388 at the end of FY 1980 to 4,530 at the end of FY 1981. A 2.3% decrease in estates closed from 1,852 in FY 1980 to 1,809 in FY 1981 led to an increase of 2.7% in pending at the end of 1981 to 2,497 from the 2,432 estates pending at the end of FY 1980.

COURT OF CHANCERY

JUDICIARY

Chancellor
Hon. William Marvel (D, 9/29/88)
Carolyn Hazen, Secretary
(571-2443)

Vice-Chancellors
Hon. Grover C. Brown (R, 5/9/85)
Mary Lou Wilcoxson, Secretary
(856-5338, 571-2442)

Hon. Maurice A. Hartnett, III (D, 9/29/88)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2441)

COURT OF CHANCERY

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Court of Chancery
134 Public Building
1020 North King Street
Wilmington, Delaware 19801

Court Reporters
Henry D. Skogmo, Chief
(571-2447)
Lorraine B. Marino
(571-2448)

Administrative Assistant
Dorothy Cordell
(571-2440)

Law Clerks
Jean A. Crompton
(571-2444)
Kevin E. Walsh
(571-2343)

KENT COUNTY

Court of Chancery
48 The Green
Dover, Delaware 19901

SUSSEX COUNTY

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

REGISTERS IN CHANCERY

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Register in Chancery M-32 Public Building 1020 North King Street Wilmington, Delaware 19801 (571-7540)	Register in Chancery Kent County Courthouse 38 The Green Dover, Delaware 19901 (736-2242)	Register in Chancery Sussex County Courthouse The Circle Georgetown, Delaware 19947 (856-7701, X250)
Registers in Chancery John D. Kelly, III	Stanley Wayne Anthony	Harvey F. Donovan, Sr.
Chief Deputies Jane L. Koke Milton Roger Holmes	Loretta Wootten	Bonnie E. Matthews
Deputies Patricia G. Randolph Eleanor M. Riley	Lydia M. McClary Gail Shaunnesy	Shirley S. Sommers

REGISTERS OF WILLS

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Register of Wills M-32 Public Building 1020 North King Street Wilmington, Delaware 19801 (571-7545)	Register of Wills Kent County Courthouse 38 The Green Dover, Delaware 19901 (736-2233)	Register of Wills Sussex County Courthouse The Circle Georgetown, Delaware 19947 (856-7701, X205)
Registers of Wills Gerald E. Reilly	Sandra W. Dean	Wilson O. McCabe, Jr.
Chief Deputies Maryanne Cluff Grover C. Luttrell, Jr.	Betty A. Strobel	Isabelle P. Morris
Deputies Vacant	Bonnie Johnson	Marie A. Scott Mears
Office Attorney Vivian Houghton		

COURT OF CHANCERY

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	523	322	302	543	+20	+3.8%
Kent	102	40	45	97	- 5	-4.9%
Sussex	126	62	68	120	- 6	-4.8%
State	751	424	415	760	+ 9	+1.2%

COMPARISON - FISCAL YEARS 1980-1981
CIVIL CASES
WORKLOAD

FILINGS

	1980	1981	Change	% Change
New Castle	334	322	-12	- 3.6%
Kent	40	40	0	0.0%
Sussex	66	62	- 4	- 6.1%
State	440	424	-16	- 3.6%

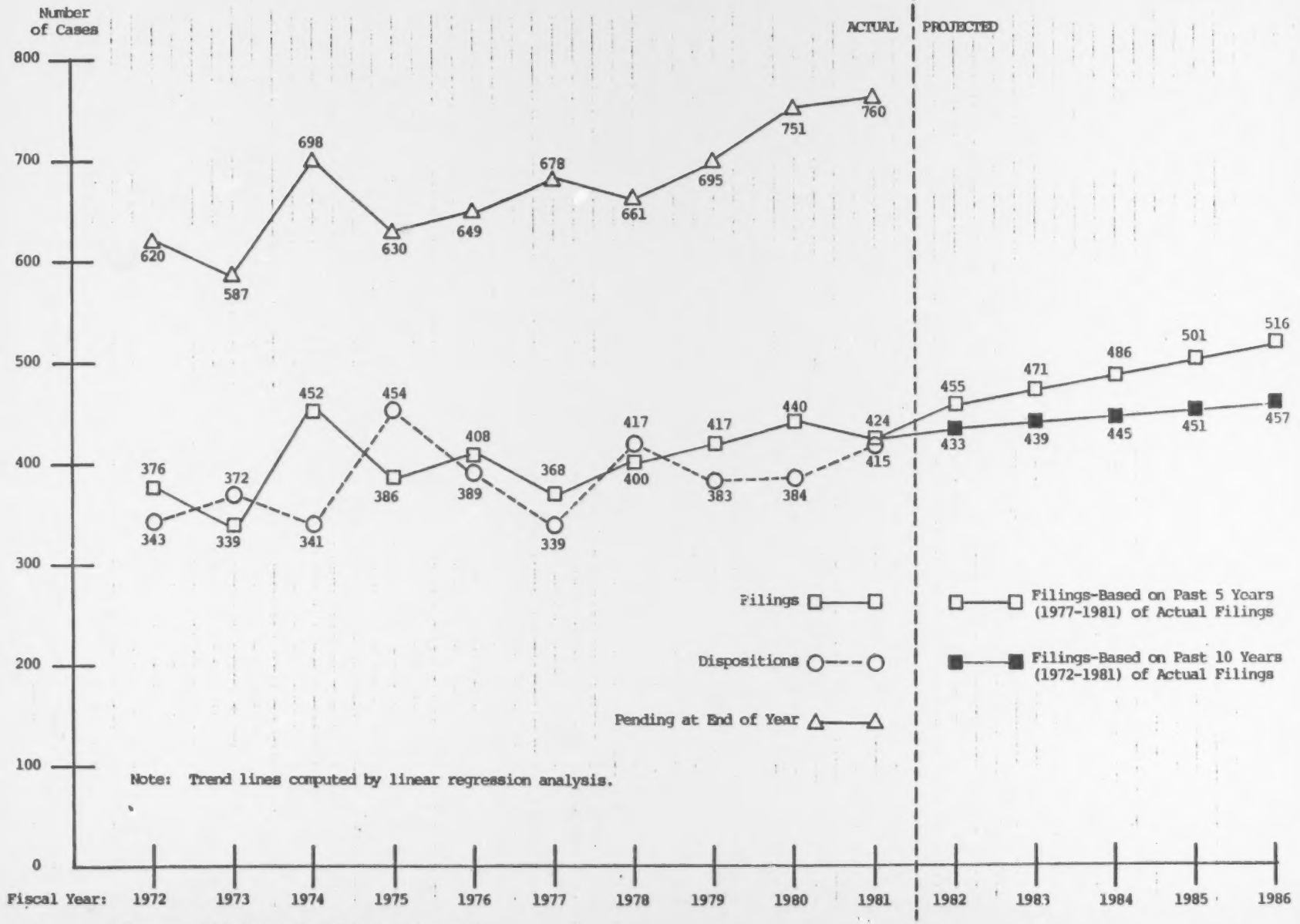
DISPOSITIONS

	1980	1981	Change	% Change
New Castle	312	302	-10	- 3.2%
Kent	20	45	+25	+125.0%
Sussex	52	68	+16	+ 30.8%
State	384	415	+31	+ 8.1%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1981
MISCELLANEOUS MATTERS
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	3,021	317	281	3,057	+ 36	+1.2%
Kent	468	97	52	513	+ 45	+9.6%
Sussex	899	180	119	960	+ 61	+6.8%
State	4,388	594	452	4,530	+142	+3.2%

COMPARISON - FISCAL YEARS 1980-1981
MISCELLANEOUS MATTERS
WORKLOAD

FILINGS

	1980	1981	Change	% Change
New Castle	309	317	+ 8	+ 2.6%
Kent	69	97	+28	+40.6%
Sussex	191	180	-11	- 5.8%
State	569	594	+25	+ 4.4%

DISPOSITIONS

	1980	1981	Change	% Change
New Castle	313	281	-32	-10.2%
Kent	40	52	+12	+30.0%
Sussex	130	119	-11	- 8.5%
State	483	452	-31	- 6.4%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

FISCAL YEAR 1981
MISCELLANEOUS MATTERS
WORKLOAD BREAKDOWNS

FILINGS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	93 29.3%	111 35.0%	6 1.9%	85 26.8%	22 6.9%	317 100.0%
Kent	38 39.2%	33 34.0%	2 2.1%	17 17.5%	7 7.2%	97 100.0%
Sussex	24 13.3%	26 14.4%	1 0.6%	79 43.9%	50 27.8%	180 100.0%
State	155 26.1%	170 28.6%	9 1.5%	181 30.5%	79 13.3%	594 100.0%

DISPOSITIONS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	90 32.0%	66 23.5%	1 0.4%	112 39.9%	12 4.3%	281 100.0%
Kent	28 53.9%	8 15.4%	1 1.9%	10 19.2%	5 9.6%	52 100.0%
Sussex	23 19.3%	22 18.5%	1 0.8%	23 19.3%	50 42.0%	119 100.0%
State	141 31.2%	96 21.2%	3 0.7%	145 32.1%	67 14.8%	452 100.0%

PENDING AT END OF YEAR

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	524 17.1%	662 21.7%	151 4.9%	1,395 45.6%	325 10.6%	3,057 100.0%
Kent	234 45.6%	128 25.0%	13 2.5%	125 24.4%	13 2.5%	513 100.0%
Sussex	299 31.1%	100 10.4%	16 1.7%	529 55.1%	16 1.7%	960 100.0%
State	1,057 23.3%	890 19.6%	180 4.0%	2,049 45.2%	354 7.8%	4,530 100.0%

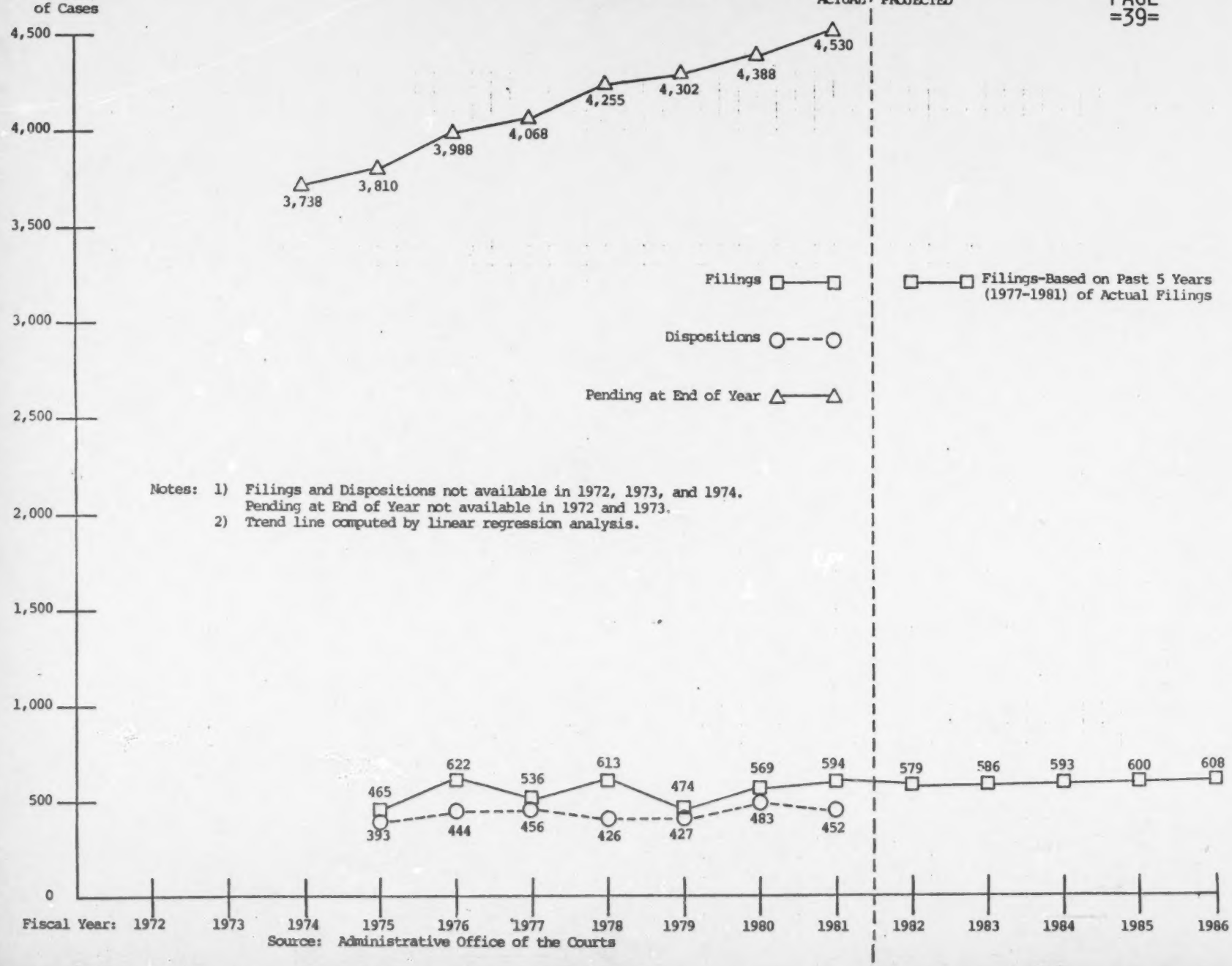
CHANGE IN PENDING

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	+ 3	+45	+ 5	-27	+10	+ 36
Kent	+10	+25	+ 1	+ 7	+ 2	+ 45
Sussex	+ 1	+ 4	0	+56	0	+ 61
State	+14	+74	+ 6	+36	+12	+142

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
MISCELLANEOUS MATTERS



Notes: 1) Filings and Dispositions not available in 1972, 1973, and 1974.
Pending at End of Year not available in 1972 and 1973.
2) Trend line computed by linear regression analysis.

Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1981
ESTATES
WORKLOAD SUMMARY

	Pending 6/30/80	Estates Opened	Estates Closed	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	1,161	1,180	1,200	1,141	-20	-1.7%
Kent	776	284	233	827	+51	+6.6%
Sussex	495	410	376	529	+34	+6.9%
State	2,432	1,874	1,809	2,497	+65	+2.7%

COMPARISON - FISCAL YEARS 1980-1981
ESTATES
WORKLOAD

ESTATES OPENED

	1980	1981	Change	% Change
New Castle	1,107	1,180	+ 73	+ 6.6%
Kent	273	284	+ 11	+ 4.0%
Sussex	377	410	+ 33	+ 8.8%
State	1,757	1,874	+117	+ 6.7%

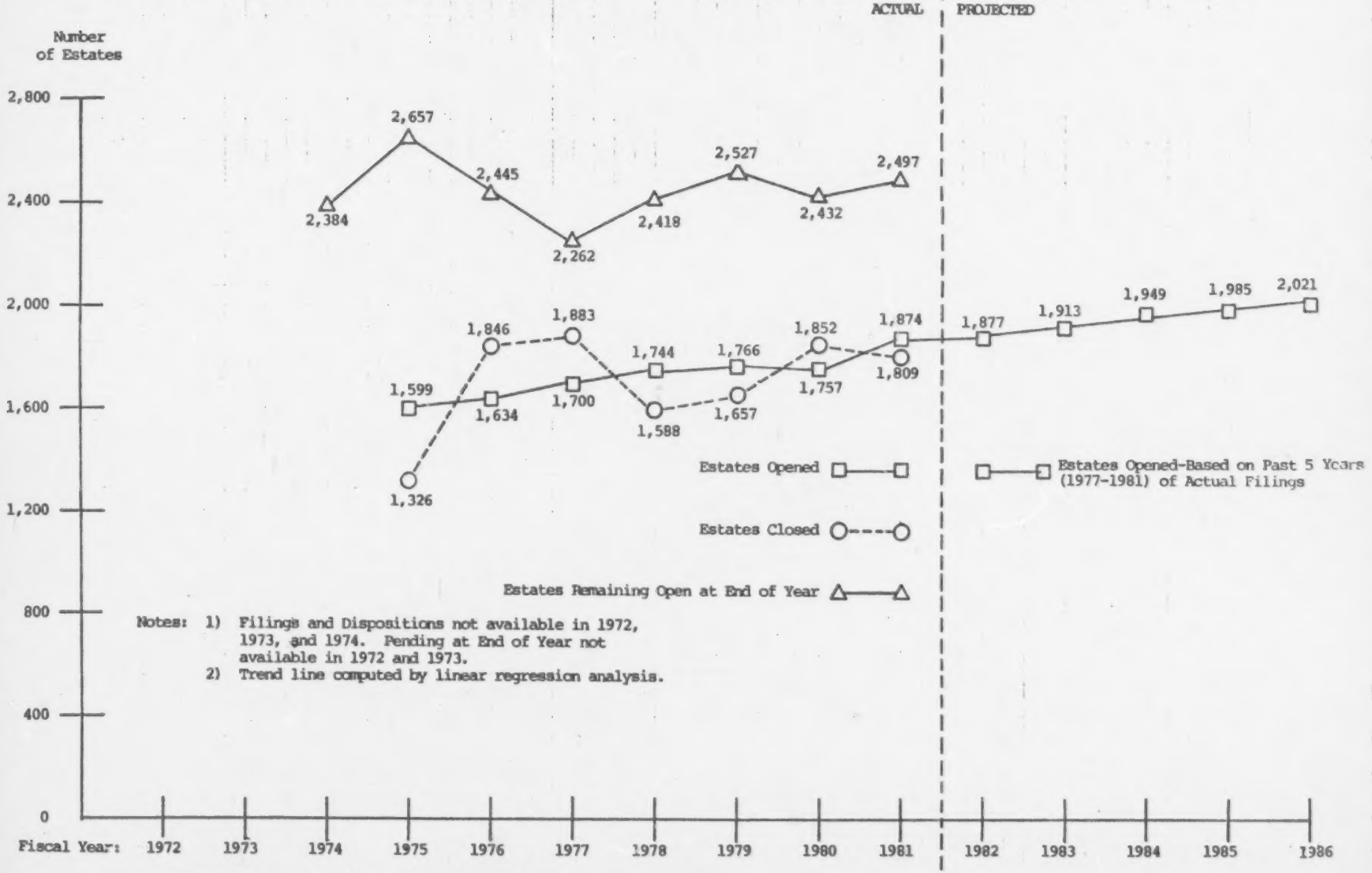
ESTATES CLOSED

	1980	1981	Change	% Change
New Castle	1,202	1,200	- 2	- 0.2%
Kent	210	233	+ 23	+11.0%
Sussex	440	376	- 64	-14.5%
State	1,852	1,809	- 43	- 2.3%

Source: New Castle County, Kent County, and Sussex County Registers of Wills

COURT OF CHANCERY

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTION
ESTATES



Notes: 1) Filings and Dispositions not available in 1972, 1973, and 1974. Pending at End of Year not available in 1972 and 1973.
2) Trend line computed by linear regression analysis.

Source: Administrative Office of the Courts

Public Guardian

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, § 3991, of the Delaware Code:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure. The salary of the Public Guardian shall be $18,500.00 per annum, to be paid from the General Fund. The Chancellor, in his discretion, may require the Public Guardian to post bond."

Geographic Organization

The Office of the Public Guardian has responsibility for the entire state and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are spelled out in Title 12, § 3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court Order, shall:

1. Serve as a guardian for the property of aged, mentally or physically incapacitated persons, pursuant to § 3914 of this title;
2. Serve as a guardian for the person of aged, mentally or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or,
3. Serve as both guardian of the person and of property of such person."

The intent of the legislation creating the Office of the Public Guardian was to create a guardianship capability for those situations in which a person needing a guardian does not have any relative, friend, or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would be best served by a neutral guardian.

Personnel

The Public Guardian is assisted by an administrative assistant and one caseworker.

Caseload

In the year of operation July 1, 1980 to June 30, 1981, the Office received 128 referrals. Of this number, 14 were determined to need the services of the Public Guardian as a guardian, and petitions were presented in the appropriate counties. As of June 30, 1981, the Public Guardian had responsibility for a total of 48 wards.

The remaining 114 cases were determined not to need guardianship for the solution of their problems and were served by mobilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client to take some voluntary action on his own behalf, or simply offering counselling to help the client solve his own problems. About eighty-five percent of all individuals referred to the Office of the Public Guardian are in need of protective services rather than legal guardianship.

PUBLIC GUARDIAN
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2990)

PERSONNEL

Public Guardian
Barbara F. Blevins

Administrative Assistant
Barbara A. Walker

Caseworker
Patricia E. Gesler

PUBLIC GUARDIAN

FISCAL YEAR 1981
WORKLOAD SUMMARY

	Pending 6/30/80	New Referrals	Cases Closed	Pending 6/30/81	Change In Pending	% Change In Pending
Guardianships	39	14	5	48	+ 9	+23.1%
Investigations	6	114	111	9	+ 3	+50.0%
TOTALS	45	128	116	57	+12	+26.7%

COMPARISON - FISCAL YEARS 1980-1981
WORKLOAD

NEW REFERRALS

	1980	1981	Change	% Change
Guardianships	11	14	+ 3	+27.3%
Investigations	193	114	-79	-40.9%
TOTALS	204	128	-76	-37.3%

CASES CLOSED

	1980	1981	Change	% Change
Guardianships	12	5	- 7	-58.3%
Investigations	235	111	-124	-52.8%
TOTALS	247	116	-131	-53.0%

Source: Office of the Public Guardian

Superior Court

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over adoptions and terminations of parental rights which were filed before September 9, 1980, and also over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court, administrative agencies such as the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard as trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Number: There are eleven judges appointed to the Superior Court bench; one is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of Superior Court for that county. The Prothonotary is the record keeper for Superior Court, and as such, the Prothonotary is directly involved with the civil court calendar. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. Further, the Prothonotary's Office is charged with the security, care and custody of Court's exhibits.

Elected Sheriffs, one per county, also serves Superior Court.

Caseload Trend

Superior Court was able, in FY 1981, to dispose of 86.7% of its criminal cases in New Castle County (85.2% statewide) within 120 days of arrest, the time interval specified by the Chief Justice's Speedy Trial Directive. The Court was able to achieve this rate because the Court controls its own criminal calendar through the Case Scheduling Office and the Criminal Office Judge, and because of the policy in New Castle County of regularly assigning 5 of New Castle County's 8 judges to criminal matters and 3 to civil matters. The total number of criminal cases filed in FY 1981 in Superior Court rose by over 6% from FY 1980 while the number of criminal cases disposed of increased by over 11%. The number of pending cases statewide rose by 0.4%. Superior Court held 307 criminal trials in FY 1981, up from the total of 255 criminal trials held in FY 1980.

However, Superior Court's emphasis on criminal cases has continued to affect its effort to deal with its civil jurisdiction. The Court experienced a 14.4% decline in the number of filings statewide, partially due to the transfer of Adoptions and Terminations jurisdiction to Family Court, and the Court disposed of 12.5% fewer civil cases in FY 1981 than it did in FY 1980 for the same reason. The Court was not able to dispose of as many cases as were filed, and therefore the number of civil cases pending adjudication rose by 2.4% in FY 1981.

SUPERIOR COURT

JUDICIARY

NEW CASTLE COUNTY

President Judge
Hon. Albert J. Stiftel (D, 8/8/90)
Ann Lafferty, Secretary
(571-2355)

Resident Judge
Hon. Andrew D. Christie (R, 5/3/93)
Elaine M. Ryan, Secretary
(571-2358)

Associate Judges
Hon. Robert C. O'Hara (R, 3/23/90)
Doris Myers, Secretary
(571-2370)
Hon. Vincent A. Bifferato (D, 8/5/92)
Betty Gilson, Secretary
(571-2361)
Hon. Clarence W. Taylor (R, 7/1/84)
Carol Edwards, Secretary
(571-2374)
Hon. Joseph T. Walsh (D, 7/1/84)
Linda Flohr, Secretary
(571-2369)
Hon. Bernard Balick (D, 9/18/85)
Ivone Marvel, Secretary
(571-2367)
Hon. Joseph J. Longobardi (R, 10/25/86)
Anne Marie Brown, Secretary
(571-2544)

KENT COUNTY

Resident Judge
Hon. George R. Wright (R, 7/1/84)
Janet L. Case, Secretary
(736-5331)

Associate Judge
Hon. William G. Bush, III (D, 9/12/84)
Eileen Masino, Secretary
(736-5331)

SUSSEX COUNTY

Resident Judge
Hon. Claud L. Tease (R, 10/25/86)
Mary Ellen Greenley, Secretary
(856-5256)

SUPPORT PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Superior Court Public Building 1020 North King Street Wilmington, DE 19801	Superior Court Kent County Courthouse 38 The Green Dover, DE 19901	Superior Court Sussex County Courthouse The Circle Georgetown, DE 19947
Administrator Vacant S. Maureen Golden, Secretary (571-2380)		
Administrative Assistant Doris E. Harris (571-2380)		
Accountant Michael E. Indellini (571-2376)		
Case Scheduling Office Phyllis Laffey, Chief (571-2414)	Joyce C. Burnett (736-5353)	Lisa I. Burns (856-5525)
Law Clerks Steven J. Balick Muriel Testa Kevin O'Neill Donald Marston	Andrew Ahern	Keith Brady
Jury Commissioners John N. Russo Delores G. Tatman	Wallace F. McFaul, Jr. John R. McDonald	Ralph L. Swain Walter M. Betts

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Presentence Officers		
William G. Echols, Chief Gregory L. Fullhart, Assistant Chief Vacant, Assistant Chief (571-2420)	Ralph D. Knotts, Jr., Chief (736-5275)	Robert D. Downes, Chief (856-5549)
Court Reporters		
Morris D. Pearson, Chief (571-2390)	Debra S. Mitchell, Chief (736-5311)	

PROTHONOTARIES

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Prothonotary Public Building 1020 North King Street Wilmington, DE 19801 (571-2396, 571-7575)	Prothonotary Kent County Courthouse 38 The Green Dover, DE 19901 (736-5328)	Prothonotary Sussex County Courthouse The Circle Georgetown, DE 19947 (856-7701, X270)
Prothonotaries		
George J. Fisher	Emily G. Morris	Lawrence E. Sammons
Chief Deputies		
Elizabeth O. Richeson Frank D. Vari	Delores A. Chadwick	Carol B. Thomas
Deputies		
Sharon Agnew Barbara Hrinak Wilma McDowell Raymond Wilson	Suzanne B. Brode	Myrtle E. Shockley Sarah D. Washington

SHERIFFS

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Sheriff Public Building 1020 North King Street Wilmington, DE 19801 (571-7564, 571-7565)	Sheriff Kent County Courthouse 38 The Green Dover, DE 19901 (736-2000, X212)	Sheriff Sussex County Courthouse The Circle Georgetown, DE 19947 (856-7701, X240)
Sheriffs Michael P. Walsh	George D. Hill, Jr.	Charles W. Steele, Jr.
Chief Deputies Loretta Forsythe-Walsh		Sara Beth Long
Chief Deputy Sheriff Edward F. Bonk, Sr.		
Deputies Patricia C. Rappa	George J. Dill Richard G. Winchell, Jr.	James P. Robinson, III William L. Jones Nancy E. Bennett

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Defendants Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	985	2,511	2,529	967	-18	- 1.8%
Kent	278	466	463	281	+ 3	+ 1.1%
Sussex	63	328	308	83	+20	+31.7%
State	1,326	3,305	3,300	1,331	+ 5	+ 0.4%

COMPARISON - FISCAL YEARS 1980-1981
WORKLOAD

FILINGS

	Number of Defendants 1980	1981	Change	% Change
New Castle	2,380	2,511	+131	+ 5.5%
Kent	407	466	+ 59	+14.5%
Sussex	328	328	0	0.0%
State	3,115	3,305	+190	+ 6.1%

DISPOSITIONS

	Number of Defendants 1980	1981	Change	% Change
New Castle	2,198	2,529	+331	+15.1%
Kent	445	463	+ 18	+ 4.0%
Sussex	327	308	- 19	- 5.8%
State	2,970	3,300	+330	+11.1%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1980
CRIMINAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.

2. Informations are filed if defendants waive indictment.

3. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties itself holds jury trials, there are no transfers in those 2 counties.

4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
   -Mistrial
   -Hung Jury
   -Motion for new trial granted
   -Guilty plea withdrawn
   -Lower court appeal reinstated after being dismissed
   -Conviction overturned by Supreme Court; remanded to Superior Court for new trial

5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.

6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials per se. The date of disposition is the trial date, unless the decision is reserved, in which case it is the date when the opinion is handed down.

7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.

8. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. Since the New Information is a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition.

9. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.

10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.

11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.

12. Other types of dispositions include consolidations and diversions. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, who has the charges tried together will receive one trial disposition and one consolidation disposition. Diversions represent those defendants who are charged with driving under the influence and are first time offenders. The defendants elect to enroll in a rehabiliation program and waive their right to a speedy trial. If the individual satisfactorily completes the program and pays all fees, the driving under the influence charge will be nolle prossed.

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
WORKLOAD BREAKDOWNS

FILINGS

Number of Defendants Brought to Superior Court By:

	Indictment	Information	Appeal	Transfer	Reinstatement	Severance	TOTALS
New Castle	2,007 79.9%	79 3.1%	131 5.2%	243 9.7%	42 1.7%	9 0.4%	2,511 100.0%
Kent	414 88.8%	24 5.2%	18 3.9%	0 0.0%	1 0.2%	9 1.9%	466 100.0%
Sussex	241 73.5%	33 10.1%	42 12.8%	5 1.5%	7 2.1%	0 0.0%	328 100.0%
State	2,662 80.5%	136 4.1%	191 5.8%	248 7.5%	50 1.5%	18 0.5%	3,305 100.0%

DISPOSITIONS

Number of Defendants Disposed of By:

	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS
New Castle	269 10.6%	1,373 54.3%	820 32.4%	16 0.6%	29 1.1%	1 *	14 0.6%	7 0.3%	2,529 100.0%
Kent	36 7.8%	333 71.9%	85 18.4%	0 0.0%	5 1.1%	0 0.0%	0 0.0%	4 0.9%	463 100.0%
Sussex	25 8.1%	193 62.7%	65 21.1%	5 1.6%	10 3.2%	6 1.9%	4 1.3%	0 0.0%	308 100.0%
State	330 10.0%	1,899 57.5%	970 29.4%	21 0.6%	44 1.3%	7 0.2%	18 0.5%	11 0.3%	3,300 100.0%

PENDING AT END OF YEAR

	Number of Defendants Triable	Non-Triable	TOTALS
New Castle	468 48.4%	499 51.6%	967 100.0%
Kent	48 17.1%	233 82.9%	281 100.0%
Sussex	50 60.2%	33 39.8%	83 100.0%
State	566 42.5%	765 57.5%	1,331 100.0%

CHANGE IN PENDING

	Number of Defendants Triable	Non-Triable	TOTALS
New Castle	+ 83	-101	-18
Kent	- 2	+ 5	+ 3
Sussex	+ 20	0	+20
State	+101	- 96	+ 5

ADRR = Appeal Dismissed, Record Remanded
*Less than one-tenth of 1%.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

	Number of Defendants Disposed of By:															
	Jury Trial		Non-Jury Trial		TOTALS		Guilty		Not Guilty*		No Final Disposition**		TOTALS	
New Castle	249	92.6%	20	7.4%	269	100.0%	166	61.7%	76	28.3%	27	10.0%	269	100.0%
Kent	32	88.9%	4	11.1%	36	100.0%	27	75.0%	7	19.4%	2	5.6%	36	100.0%
Sussex	9	36.0%	16	64.0%	25	100.0%	16	64.0%	9	36.0%	0	0.0%	25	100.0%
State	290	87.9%	40	12.1%	330	100.0%	209	63.3%	92	27.9%	29	8.8%	330	100.0%

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of By:

	Jury Trial								Non-Jury Trial				
	Guilty	Guilty - LIO	Pled Guilty - LIO at Trial	Not Guilty	Dismissal at Trial	Nolle Prosequi at Trial	Hung Jury	Mistrial	Guilty	Guilty - LIO	Not Guilty	Dismissal at Trial	TOTALS
New Castle	111	39	0	42	9	21	16	11	11	5	3	1	269
Kent	17	5	2	5	0	1	2	0	3	0	1	0	36
Sussex	5	2	0	2	0	0	0	0	9	0	5	2	25
State	133	46	2	49	9	22	18	11	23	5	9	3	330

LIO = Lesser Included Offense
*Includes Dismissals at Trial and Nolle Prosequis at Trial.
**Hung Juries and Mistrials.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS

Number of Defendants Who:

	PG-All		PG-Most Serious		PG-LIO		PG-Less Serious		PG-LIO-Less Serious		PG-NI		PG-Information		TOTALS	
New Castle	89	6.5%	390	28.4%	522	38.0%	171	12.5%	47	3.4%	51	3.7%	103	7.5%	1,373	100.0%
Kent	20	6.0%	69	20.7%	139	41.7%	56	16.8%	20	6.0%	5	1.5%	24	7.2%	333	100.0%
Sussex	27	14.0%	55	28.5%	80	41.5%	0	0.0%	0	0.0%	4	2.1%	27	14.0%	193	100.0%
State	136	7.1%	514	27.1%	741	39.0%	227	12.0%	67	3.5%	60	3.2%	154	8.1%	1,899	100.0%

EXPLANATORY NOTES

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.

2. "PG-Most Serious" indicates that the defendant pled guilty to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.

3. "PG-LIO" denotes that a defendant pled guilty to a lesser included offense of the most serious charge. Pleas of guilty to amended informations are counted in with the PG-LIO's.

4. "PG-Less Serious" indicates a plea of guilty to a less serious charge of a multi-count indictment or other filing.

5. "PG-LIO-Less Serious" means that the defendant pled guilty to a lesser included offense of a less serious charge of a multi-count indictment or other filing.

6. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.

7. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General. This is always a reduced charge.

8. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to an LIO is counted in with the PG-LIO's.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	Number of Defendants With Nolle Prosequis by Special Condition		Number of Defendants With Nolle Prosequis by Merit		Total Number Defendants Disposed of by Nolle Prosequi	
New Castle	359	43.8%	461	56.2%	820	100.0%
Kent	23	27.1%	62	72.9%	85	100.0%
Sussex	18	27.7%	47	72.3%	65	100.0%
State	400	41.2%	570	58.8%	970	100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	Number of Defendants With Nolle Prosequis by Special Condition								Number of Defendants With Nolle Prosequis by Merit												
	Guilty of Other Charges, Different Indictment	Disposed of in Other Court	Reindicted	Placed on AG's Probation	Made Restitution	Placed in Custody of Other Jurisdiction	Indicted on Other Charges	Miscellaneous	Codefendant Guilty	Granted Immunity, AG's Witness	Hung Jury	Defense Valid	Prosecutive Merit	Police Problems	Victim/Witness Availability/ Deceased	Victim/Witness Attitude/ Credibility	Due Process	Insufficient Evidence	Evidence Suppressed	Wrong Person Indicted	Miscellaneous	TOTALS
New Castle	117	18	66	111	5	15	7	20	9	2	3	4	155	9	69	35	5	137	7	4	22	820
Kent	9	5	1	6	1	0	0	1	8	2	0	0	16	2	4	6	0	21	0	0	3	85
Sussex	1	2	8	5	0	0	0	2	0	5	1	4	9	2	11	6	0	7	0	0	2	65
State	127	25	75	122	6	15	7	23	17	9	4	8	180	13	84	47	5	165	7	4	27	970

*Nolle Prosequis for indicted defendants only.
AG = Attorney General

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

NEW CASTLE

Offense	Trial G-NG-NFD	Guilty Plea	Number of Defendants Disposed of By: NP	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS
Crimes of Violence									
Murder 1st	8- 1- 0	7	4	0	0	0	0	0	20
Murder 2nd	4- 1- 0	3	1	0	0	0	0	0	9
Manslaughter	1- 1- 0	1	1	0	0	0	0	0	4
Criminally Negligent Homicide	3- 0- 0	3	1	0	0	0	0	0	7
Attempted Murder 1st/2nd	7- 1- 0	14	4	0	0	0	0	0	26
Assault 1st	7- 6- 0	34	13	3	0	0	0	0	63
Assault 2nd	9- 1- 1	29	17	0	0	0	0	0	57
Reckless Endangering 1st/2nd	4- 0- 0	36	6	2	0	0	0	0	48
Rape 1st	2- 2- 2	6	10	0	0	0	0	0	22
Rape 2nd	0- 1- 1	10	6	0	0	0	0	0	18
Sodomy 1st/2nd	1- 0- 0	1	5	0	0	0	0	0	7
Kidnapping 1st/2nd	3- 0- 0	12	1	0	0	0	0	0	16
Robbery 1st	22- 7- 1	42	54	1	0	0	0	0	127
Robbery 2nd	5- 0- 0	16	16	1	0	0	0	0	38
Drug Offenses									
Delivery	12- 2- 3	85	27	0	0	1	0	0	130
Possession w/Intent to Deliver	7- 0- 0	41	30	0	0	0	0	5	83
Possession NN Schedule I	2- 1- 0	22	9	0	0	0	0	0	34
Other Drug Offenses	2- 2- 0	57	39	0	0	0	0	0	100
Other Indicted Offenses									
Burglary 1st/2nd/3rd	15- 9- 5	253	105	2	0	0	0	0	389
Theft/Shoplifting/RSP/Forgery	16-12- 3	331	183	4	0	0	0	0	549
Weapons Offenses	3- 4- 2	64	44	0	0	0	0	0	117
Other Indicted Offenses	19-12- 4	187	86	1	0	0	0	1	310
Appeals and Transfers									
DUI/CUI	2- 2- 2	28	7	0	1	0	14	0	56
Other Traffic Offenses	4- 2- 0	48	48	2	20	0	0	0	124
Non-Traffic Offenses	8- 9- 3	43	103	0	8	0	0	1	175
TOTALS	166-76-27	1,373	820	16	29	1	14	7	2,529

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

KENT

Offense	Number of Defendants Disposed of By: Trial G-NG-NFD	Guilty Plea	Nolle Prosequi	ADRR	Consolidated	TOTALS
Crimes of Violence						
Murder 1st	2-0-0	2	0	0	0	4
Attempted Murder 1st/2nd	1-0-0	1	1	0	0	3
Assault 1st	0-0-0	7	4	0	0	11
Assault 2nd	1-0-0	13	5	0	0	19
Reckless Endangering 1st/2nd	1-0-0	10	6	0	0	17
Rape 1st	2-0-0	2	0	0	0	4
Rape 2nd	1-0-0	0	1	0	0	2
Sodomy 1st/2nd	1-0-0	1	0	0	0	2
Kidnapping 1st/2nd	2-1-0	4	1	0	0	8
Robbery 1st	3-1-0	11	0	0	0	15
Robbery 2nd	0-0-0	4	1	0	0	5
Drug Offenses						
Delivery	1-0-0	25	4	0	0	30
Possession w/Intent to Deliver	0-0-0	18	2	0	1	21
Possession Non-Narcotic Schedule I	0-0-0	11	1	0	2	14
Other Drug Offenses	1-2-0	10	4	0	0	17
Other Indicted Offenses						
Burglary 1st/2nd/3rd	6-0-0	82	16	0	0	104
Theft/Shoplifting/RSP/Forgery	2-3-2	74	23	0	0	104
Weapons Offenses	1-0-0	16	4	0	0	21
Other Indicted Offenses	1-0-0	39	11	1	1	53
Appeals and Transfers						
DUI/CUI	0-0-0	0	0	0	0	0
Other Traffic Offenses	1-0-0	3	1	4	0	9
TOTALS	27-7-2	333	85	5	4	463

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Nolle Prosequis at Trial)
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

SUSSEX

Offense	Number of Defendants Disposed of By: Trial G-NG	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	TOTALS
Crimes of Violence								
Murder 1st	0-0	1	0	0	0	0	0	1
Manslaughter	0-0	3	1	0	0	0	0	4
Criminally Negligent Homicide	0-0	1	0	0	0	0	0	1
Assault 1st	0-0	7	1	0	0	0	0	8
Assault 2nd	3-1	8	3	1	0	0	0	16
Reckless Endangering 1st/2nd	0-0	5	0	0	1	1	0	7
Rape 1st	0-0	2	0	0	0	0	0	2
Rape 2nd	0-0	1	0	0	0	3	0	4
Sodomy 1st/2nd	0-0	2	0	0	0	0	0	2
Kidnapping 1st/2nd	0-0	1	0	0	0	0	0	1
Robbery 1st	2-0	8	3	0	0	0	0	13
Robbery 2nd	0-0	4	0	0	0	0	0	4
Drug Offenses								
Delivery	1-0	7	1	0	0	0	0	9
Possession w/Intent to Deliver	0-1	5	4	1	0	0	0	11
Possession NN Schedule I	0-0	3	0	0	0	0	0	3
Other Drug Offenses	0-0	4	0	0	0	0	0	4
Other Indicted Offenses								
Burglary 1st/2nd/3rd	1-0	48	21	1	0	0	0	71
Theft/Shoplifting/RSP/Forgery	1-2	34	15	0	1	0	0	53
Weapons Offenses	1-0	4	0	0	0	0	0	5
Other Indicted Offenses	1-2	30	11	0	0	1	0	45
Appeals and Transfers								
DUI/CUI	0-0	1	0	0	0	0	4	5
Other Traffic Offenses	1-2	13	1	2	7	1	0	27
Non-Traffic Offenses	5-1	1	4	0	1	0	0	12
TOTALS	16-9	193	65	5	10	6	4	308

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NG = Not Guilty (includes Dismissal at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

STATE

Offense	Number of Defendants Disposed of By: Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS
Crimes of Violence									
Murder 1st	10- 1- 0	10	4	0	0	0	0	0	25
Murder 2nd	4- 1- 0	3	1	0	0	0	0	0	9
Manslaughter	1- 1- 0	4	2	0	0	0	0	0	8
Criminally Negligent Homicide	3- 0- 0	4	1	0	0	0	0	0	8
Attempted Murder 1st/2nd	8- 1- 0	15	5	0	0	0	0	0	29
Assault 1st	7- 6- 0	48	18	3	0	0	0	0	82
Assault 2nd	13- 2- 1	50	25	1	0	0	0	0	92
Reckless Endangering 1st/2nd	5- 0- 0	51	12	2	1	1	0	0	72
Rape 1st	4- 2- 2	10	10	0	0	0	0	0	28
Rape 2nd	1- 1- 1	11	7	0	0	3	0	0	24
Sodomy 1st/2nd	2- 0- 0	4	5	0	0	0	0	0	11
Kidnapping 1st/2nd	5- 1- 0	17	2	0	0	0	0	0	25
Robbery 1st	27- 8- 1	61	57	1	0	0	0	0	155
Robbery 2nd	5- 0- 0	24	17	1	0	0	0	0	47
Drug Offenses									
Delivery	14- 2- 3	117	32	0	0	1	0	0	169
Possession w/Intent to Deliver	7- 1- 0	64	36	1	0	0	0	6	115
Possession NN Schedule I	2- 1- 0	36	10	0	0	0	0	2	51
Other Drug Offenses	3- 4- 0	71	43	0	0	0	0	0	121
Other Indicted Offenses									
Burglary 1st/2nd/3rd	22- 9- 5	383	142	3	0	0	0	0	564
Theft/Shoplifting/RSP/Forgery	19-17- 5	439	221	4	1	0	0	0	706
Weapons Offenses	5- 4- 2	84	48	0	0	0	0	0	143
Other Indicted Offenses	21-14- 4	256	108	1	1	1	0	2	408
Appeals and Transfers									
DUI/CUI	2- 2- 2	29	7	0	1	0	18	0	61
Other Traffic Offenses	6- 4- 0	64	50	4	31	1	0	0	160
Non-Traffic Offenses	13-10- 3	44	107	0	9	0	0	1	187
TOTALS	209-92-29	1,899	970	21	44	7	18	11	3,300

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)

Source: Superior Court Case Scheduling Office

NG = Not Guilty (includes Nolle Prosequis at Trial and Dismissals at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES

CRIMINAL TRIALS

	Number of Jury Trials	Number of Non-Jury Trials	Total Number of Trials	Days In Trial	Average Length Per Trial
New Castle	228 91.9%	20 8.1%	248 100.0%	485	1.96 days
Kent	30 88.2%	4 11.8%	34 100.0%	62	1.82
Sussex	9 36.0%	16 64.0%	25 100.0%	20 1/2	0.82
State	267 87.0%	40 13.0%	307 100.0%	567 1/2	1.85 days

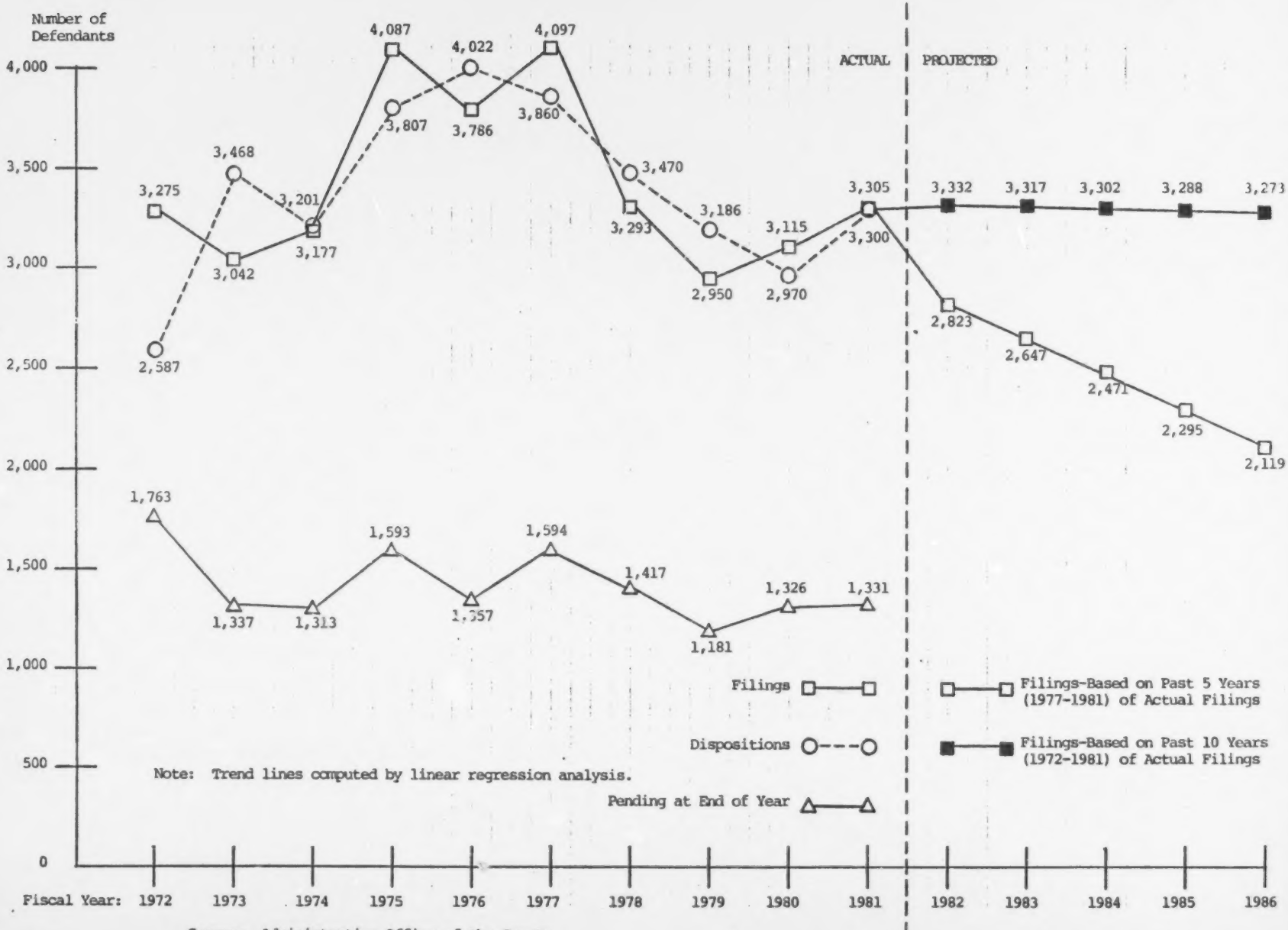
CRIMINAL TRIAL CALENDAR ACTIVITY

	Total Number of Defendants Scheduled	Number of Defendants Rescheduled	Percentage of Defendants Rescheduled	Rescheduled At Defense Request	Rescheduled at Prosecution Request	Rescheduled at Mutual Request	Rescheduled at Court Request
New Castle	3,389	955	28.2%	524 54.9%	269 28.2%	103 10.8%	59 6.2%
Kent	778	358	46.0%	130 36.3%	112 31.3%	63 17.6%	53 14.8%
Sussex	308	120	39.0%	69 57.5%	27 22.5%	10 8.3%	14 11.7%
State	4,475	1,433	32.0%	723 50.5%	408 28.5%	176 12.3%	126 8.8%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
PERFORMANCE SUMMARY

	Total Number of Defendants Disposed of	Average Time from Arrest to Disposition*	Median Time from Arrest to Disposition	Average Time from Indictment/Information to Disposition*#	Median Time from Indictment/Information to Disposition
New Castle	2,529	75.6 days	N.A.	53.9 days	N.A.
Kent	463	85.9 days	N.A.	53.9 days	N.A.
Sussex	308	94.2 days	N.A.	49.9 days	N.A.
State	3,300	78.8 days	N.A.	53.5 days	N.A.

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	Number of Defendants Disposed of Within 120 Days of Arrest		Number of Defendants Disposed of 121 Days or More After Arrest		Total Number of Defendants Disposed of	
New Castle	2,192	86.7%	337	13.3%	2,529	100.0%
Kent	386	83.4%	77	16.6%	463	100.0%
Sussex	234	76.0%	74	24.0%	308	100.0%
State	2,812	85.2%	488	14.8%	3,300	100.0%

N.A. = Not Available
* Calculated using grouped means method.
# Includes only defendants brought to Superior Court by indictment or information.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1981
CRIMINAL CASES
PERFORMANCE
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.

2. The charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment or information and disposition. Since Superior Court cases do not all originate by indictment, it is not possible to subtract the figures for indictment to disposition from the figures for arrest to disposition to determine preindictment time intervals.

3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:

   a. For all capiases, the time between the date the capias is issued and the date the capias is executed.

   b. In the case of capiases issued at arraignment, the interval between the execution of the capias and arraignment.

   c. In the case of capiases issued at trial, the time between execution of the capias and the first scheduled trial date.

   d. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment, if any.

   e. In the case of Rule 9 Warrants, the interval between indictment and arrest.

   f. In the case of Rule 9 Summonses which are superseded by Rule 9 Warrants, the full interval between indictment and arrest.

   g. For all nolle prosequis, all time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT

FISCAL YEAR 1981
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending* 6/30/80	Investigations Ordered	Investigations** Completed	Pending* 6/30/81	Change In Pending	% Change In Pending
New Castle	134	1,131	1,080	185	+51	+38.1%
Kent	59	274	304	29	-30	-50.8%
Sussex	31#	157	155	33	+ 2	+ 6.5%
State	224#	1,562	1,539	247	+23	+10.3%

COMPARISON - FISCAL YEARS 1980-1981
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1980	1981	Change	% Change
New Castle	965	1,131	+166	+17.2%
Kent	257	274	+ 17	+ 6.6%
Sussex	155	157	+ 2	+ 1.3%
State	1,377	1,562	+185	+13.4%

INVESTIGATIONS COMPLETED

	1980	1981	Change	% Change
New Castle	1,106	1,080	- 26	- 2.4%
Kent	308	304	- 4	- 1.3%
Sussex	159	155	- 4	- 2.5%
State	1,573	1,539	- 34	- 2.2%

* A pending investigation is one which has been ordered but has not yet been written and typed.
** An investigation is completed when it has been written and typed.
\# Adjusted from 1980 Annual Report.

Source: Superior Court Presentence Offices, New Castle, Kent, and Sussex Counties

SUPERIOR COURT

FISCAL YEAR 1981
PRESENTENCE OFFICE

PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
New Castle	1,041	48.9 days	3.7 days	52.6 days	42.1 days	94.7 days
Kent	294	45.5	1.9	47.4	27.6	75.0
Sussex	145	55.8	3.1	58.9	24.3	83.2
State	1,480	48.9 days	3.3 days	52.2 days	37.5 days	89.6 days

COMPLIANCE WITH 30-DAY STANDARD**

	Number of Investigations Completed Within 30 Days of Verdict		Number of Investigations Completed 31 Days or More After Verdict		Total Number of Investigations Completed	
New Castle	148	13.7%	931	86.3%	1,079	100.0%
Kent	143	47.0%	161	53.0%	304	100.0%
Sussex	8	5.2%	147	94.8%	155	100.0%
State	299	19.4%	1,239	80.6%	1,538	100.0%

* These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle	75.8 days
Kent	66.5 days
Sussex	Not Available
State	Not Available

** The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the Court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed.

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1980-1981
PRESENTENCE OFFICE
PERFORMANCE

NEW CASTLE	1980	1981	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,075	1,041	-34	- 3.2%
Average Time from Date Ordered to Date Written	51.8 days	48.9 days	- 2.9 days	- 5.6%
Average Time from Date Written to Date Typed	10.6 days	3.7 days	- 6.9 days	-65.1%
Average Time from Date Ordered to Date Typed	62.4 days	52.6 days	- 9.8 days	-15.7%
Average Time from Date Typed to Date Sentenced	29.4 days	42.1 days	+12.7 days	+43.2%
Average Time from Date Ordered to Date Sentenced	91.8 days	94.7 days	+ 2.9 days	+ 3.2%

KENT	1980	1981	Change	% Change
# of Defendants Sentenced After Presentence Investigations	318	294	-24	- 7.5%
Average Time from Date Ordered to Date Written	126.8 days	45.5 days	-81.3 days	-64.1%
Average Time from Date Written to Date Typed	5.3 days	1.9 days	- 3.5 days	-67.9%
Average Time from Date Ordered to Date Typed	132.2 days	47.4 days	-84.8 days	-64.1%
Average Time from Date Typed to Date Sentenced	29.0 days	27.6 days	- 1.4 days	- 4.8%
Average Time from Date Ordered to Date Sentenced	161.2 days	75.0 days	-86.2 days	-53.5%

SUSSEX	1980	1981	Change	% Change
# of Defendants Sentenced After Presentence Investigations	159	157	- 2	- 1.3%
Average Time from Date Ordered to Date Written	47.7 days	55.8 days	+ 8.1 days	+17.0%
Average Time from Date Written to Date Typed	5.1 days	3.1 days	- 2.0 days	-39.2%
Average Time from Date Ordered to Date Typed	52.7 days	58.9 days	+ 6.2 days	+11.8%
Average Time from Date Typed to Date Sentenced	26.9 days	24.3 days	- 2.6 days	- 9.7%
Average Time from Date Ordered to Date Sentenced	79.7 days	83.2 days	+ 3.5 days	+ 4.4%

STATE	1980	1981	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,552	1,480	-72	- 4.6%
Average Time from Date Ordered to Date Written	66.7 days	48.9 days	-17.8 days	-26.7%
Average Time from Date Written to Date Typed	9.0 days	3.3 days	- 5.7 days	-63.3%
Average Time from Date Ordered to Date Typed	75.7 days	52.2 days	-23.5 days	-31.0%
Average Time from Date Typed to Date Sentenced	29.9 days	37.5 days	+ 7.6 days	+25.4%
Average Time from Date Ordered to Date Sentenced	104.8 days	89.7 days	-15.2 days	-14.5%

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1981
PRESENTENCE OFFICE
PRODUCTIVITY

	INVESTIGATIONS			TYPING		
	Number of Investigations Written	Number of Investigators Available	Average Number Written Per Investigator	Number of Investigations Typed	Number of Typists Available	Average Number Typed Per Typist
New Castle	1,082	8.31	10.9/Month, 130.2/Year	1,079	6.41	14.0/Month, 168.3/Year
Kent	308	2.92	8.8/Month, 105.5/Year*	304	2.00	12.7/Month, 152.0/Year**
Sussex	154	2.58	5.0/Month, 59.7/Year#	155	1.00	12.9/Month, 155.0/Year##
State	1,544	13.89	9.3/Month, 111.2/Year	1,538	9.41	13.6/Month, 163.4/Year

* Kent County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 29 reports written for the Court of Common Pleas during FY 1981 were included, the average written per investigator would be 9.4 reports per month and 112.3 reports per year.

** These figures are for Superior Court only. If the 29 reports typed for the Court of Common Pleas were included, the typing productivity would become 13.9 reports typed per month and 166.5 reports per year.

\# Sussex County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 54 reports written for the Court of Common Pleas during FY 1981 were included, the figures would be 6.7 reports per month and 80.6 reports per year.

These figures are for Superior Court only. If the 55 reports typed for the Court of Common Pleas were included, the typing productivity would become 17.5 reports typed per month and 210 reports per year.

Source: Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1980-1981
PRESENTENCE OFFICE
PRODUCTIVITY

NEW CASTLE	1980	1981	Change	% Change
# of Investigations Written	1,060	1,082	+22	+ 2.1%
Average # Written Per Investigator Per Month	10.2	10.9	+ 0.7	+ 6.9%
Average # Written Per Investigator Per Year	122.3	130.2	+ 7.9	+ 6.5%
# of Investigations Typed	1,106	1,079	-27	- 2.4%
Average # Typed Per Typist Per Month	10.8	14.0	+ 3.2	+29.6%
Average # Typed Per Typist Per Year	129.3	168.3	+39.0	+30.2%

KENT*	1980	1981	Change	% Change
# of Investigations Written	304	308	+ 4	+ 1.3%
Average # Written Per Investigator Per Month	9.3	8.8	- 0.5	- 5.4%
Average # Written Per Investigator Per Year	112.2	105.5	- 6.7	- 6.0%
# of Investigations Typed	308	304	- 4	- 1.3%
Average # Typed Per Typist Per Month	15.0	12.7	- 2.3	-15.3%
Average # Typed Per Typist Per Year	180.1	152.0	-28.1	-15.6%

SUSSEX*	1980	1981	Change	% Change
# of Investigations Written	158	154	- 4	- 2.5%
Average # Written Per Investigator Per Month	4.9	5.0	+ 0.1	+ 2.0%
Average # Written Per Investigator Per Year	59.3	59.7	+ 0.4	+ 0.7%
# of Investigations Typed	159	155	- 4	- 2.5%
Average # Typed Per Typist Per Month	13.3	12.9	- 0.4	- 3.0%
Average # Typed Per Typist Per Year	159.0	155.0	- 4.0	- 2.5%

STATE*	1980	1981	Change	% Change
# of Investigations Written	1,522	1,544	+22	+ 1.4%
Average # Written Per Investigator Per Month	9.0	9.3	+ 0.3	+ 3.3%
Average # Written Per Investigator Per Year	108.4	111.2	+ 2.8	+ 2.6%
# of Investigations Typed	1,573	1,538	-35	- 2.2%
Average # Typed Per Typist Per Month	11.6	13.6	+ 2.0	+17.2%
Average # Typed Per Typist Per Year	139.7	163.4	+23.7	+17.0%

*Figures are for Superior Court only. Court of Common Pleas presentence activity, which is also done by the Kent and Sussex Presentence Offices, is excluded.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	2,990	2,875	2,955	2,910	- 80	- 2.7%
Kent	831	507	325	1,013	+182	+21.9%
Sussex	459	384	384	459	0	0.0%
State	4,280	3,766	3,664	4,382	+102	+ 2.4%

COMPARISON - FISCAL YEARS 1980-1981
CIVIL CASES
WORKLOAD

FILINGS

	1980	1981	Change	% Change
New Castle	3,468	2,875	-593	-17.1%
Kent	494	507	+ 13	+ 2.6%
Sussex	438	384	- 54	-12.3%
State	4,400	3,766	-634	-14.4%

DISPOSITIONS

	1980	1981	Change	% Change
New Castle	3,432	2,955	-477	-13.9%
Kent	404	325	- 79	-19.6%
Sussex	352	384	+ 32	+ 9.1%
State	4,188	3,664	-524	-12.5%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
EXPLANATORY NOTES

1. Complaints are suits for damages. The Complaints category includes Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court, Appeals from Arbitration Panel, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.

2. Mechanic's Liens and Mortgages are property suits.

3. Terminations and Adoptions are parental rights cases. On 9/11/80, jurisdiction over these cases was transferred to Family Court. Superior Court continues to hear those Adoptions and Terminations which had already been filed in Superior Court. However, all new cases are filed in Family Court.

4. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the state's facility for mentally ill patients, is located in New Castle County, all Involuntary Commitment hearings are held in New Castle County.

5. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, and Certioraris.

6. Miscellaneous includes all other cases. During FY 1981 this category consisted of Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Writs of Possession, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Writ of Quo Warranto, Petitions to Inspect Records, Petitions to Quash Subpoena, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Libels, Petitions to Set Aside Sheriff's Sales, Petitions for Correction of Birth Certificate, Petitions to Set Aside Satisfaction of Judgment, Motions to Quash Search Warrants, Petitions for Custody Under Detainer Act, Protective Orders, and Petitions for Marriage License.

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,424 49.5%	392 13.6%	57 2.0%	179 6.2%	519 18.1%	304 10.6%	2,875 100.0%
Kent	294 58.0%	111 21.9%	14 2.8%	31 6.1%	0 0.0%	57 11.2%	507 100.0%
Sussex	214 55.7%	87 22.7%	11 2.9%	29 7.6%	0 0.0%	43 11.2%	384 100.0%
State	1,932 51.3%	590 15.7%	82 2.2%	239 6.3%	519 13.8%	404 10.7%	3,766 100.0%

DISPOSITIONS

	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,335 45.2%	391 13.2%	114 3.9%	222 7.5%	543 18.4%	350 11.8%	2,955 100.0%
Kent	194 59.7%	51 15.7%	40 12.3%	14 4.3%	0 0.0%	26 8.0%	325 100.0%
Sussex	170 44.3%	74 19.3%	70 18.2%	24 6.3%	0 0.0%	46 12.0%	384 100.0%
State	1,699 46.4%	516 14.1%	224 6.1%	260 7.1%	543 14.8%	422 11.5%	3,664 100.0%

PENDING AT END OF YEAR

	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	2,138 73.5%	309 10.6%	45 1.5%	213 7.3%	101 3.5%	104 3.6%	2,910 100.0%
Kent	671 66.2%	168 16.6%	21 2.1%	76 7.5%	0 0.0%	77 7.6%	1,013 100.0%
Sussex	322 70.2%	72 15.7%	0 0.0%	33 7.2%	0 0.0%	32 7.0%	459 100.0%
State	3,131 71.5%	549 12.5%	66 1.5%	322 7.3%	101 2.3%	213 4.9%	4,382 100.0%

CHANGE IN PENDING

	Complaints	Mechanic's Liens and Mortgages	Terminations and Adoptions	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	+ 89	+ 1	-57	-43	-24	-46	- 80
Kent	+100	+60	-26	+17	0	+29	+180
Sussex	+ 44	+13	-59	+ 5	0	- 3	0
State	+233	+74	-142	-21	-24	-20	+100

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS

	Trial Dispositions			Non-Trial Dispositions							
	Judgment for Plaintiff	Judgment for Defendant	Split Disp.	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Split Disp.	Transfer	TOTALS
New Castle	58 4.3%	35 2.6%	2 0.1%	208 15.6%	64 4.8%	16 1.2%	792 59.3%	157 11.8%	0 0.0%	3 0.2%	1,335 100.0%
Kent	10 5.2%	3 1.5%	1 0.5%	21 10.8%	6 3.1%	1 0.5%	148 76.3%	1 0.5%	3 1.5%	0 0.0%	194 100.0%
Sussex	5 2.9%	3 1.8%	0 0.0%	26 15.3%	10 5.9%	9 5.3%	88 51.8%	27 15.9%	0 0.0%	2 1.2%	170 100.0%
State	73 4.3%	41 2.4%	3 0.2%	255 15.0%	80 4.7%	26 1.5%	1028 60.5%	185 10.9%	3 0.2%	5 0.3%	1,699 100.0%

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions					
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	TOTALS
New Castle	5 1.3%	1 0.3%	205 52.4%	12 3.1%	0 0.0%	134 34.3%	34 8.7%	391 100.0%
Kent	0 0.0%	0 0.0%	30 58.8%	2 3.9%	0 0.0%	19 37.3%	0 0.0%	51 100.0%
Sussex	1 1.4%	0 0.0%	39 52.7%	3 4.1%	1 1.4%	25 33.8%	5 6.8%	74 100.0%
State	6 1.2%	1 0.2%	274 53.1%	17 3.3%	1 0.2%	178 34.5%	39 7.6%	516 100.0%

Disp. = Disposition

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
TYPES OF DISPOSITIONS

TERMINATIONS AND ADOPTIONS DISPOSITIONS

	Granted	Dismissed	TOTALS
New Castle	100 87.7%	14 12.3%	114 100.0%
Kent	40 100.0%	0 0.0%	40 100.0%
Sussex	47 67.1%	23 32.9%	70 100.0%
State	187 83.5%	37 16.5%	224 100.0%

INVOLUNTARY COMMITMENTS DISPOSITIONS

	Dismissed-Voluntary Commitment	Dismissed-No Probable Cause	Dismissed-Released by Hospital	Dismissed-Transferred by Hospital	Dismissed-Defendant Deceased	TOTAL
New Castle	321 59.1%	1 0.2%	209 38.5%	1 0.2%	11 2.0%	543 100.0%

APPEALS DISPOSITIONS

	Affirmed	Reversed	Modified	Voluntarily Dismissed	Dismissed by Court	Remanded	TOTALS
New Castle	65 29.3%	20 9.0%	2 1.0%	65 29.3%	33 14.9%	37 16.7%	222 100.0%
Kent	3 21.4%	3 21.4%	0 0.0%	7 50.0%	1 7.1%	0 0.0%	14 100.0%
Sussex	7 29.2%	3 12.5%	1 4.2%	6 25.0%	4 16.7%	3 12.5%	24 100.0%
State	75 28.8%	26 10.0%	3 1.2%	78 30.0%	38 14.6%	40 15.4%	260 100.0%

MISCELLANEOUS DISPOSITIONS

	Signed/Granted	Denied/Dismissed	Disposition Simultaneous With Filing	TOTALS
New Castle	257 73.4%	93 26.6%	0 0.0%	350 100.0%
Kent	23 88.5%	3 11.5%	0 0.0%	26 100.0%
Sussex	34 73.9%	11 23.9%	1 2.2%	46 100.0%
State	314 74.4%	107 25.4%	1 0.2%	422 100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES

CIVIL TRIALS

	No. of Jury Trials		No. of Special Jury Trials		No. of Non-Jury Trials		Total No. of Trials	
New Castle	55	55.6%	1	1.0%	43	43.4%	99	100.0%
Kent	10	50.0%	0	0.0%	10	50.0%	20	100.0%
Sussex	3	18.8%	0	0.0%	13	81.3%	16	100.0%
State	68	50.4%	1	0.7%	66	48.9%	135	100.0%

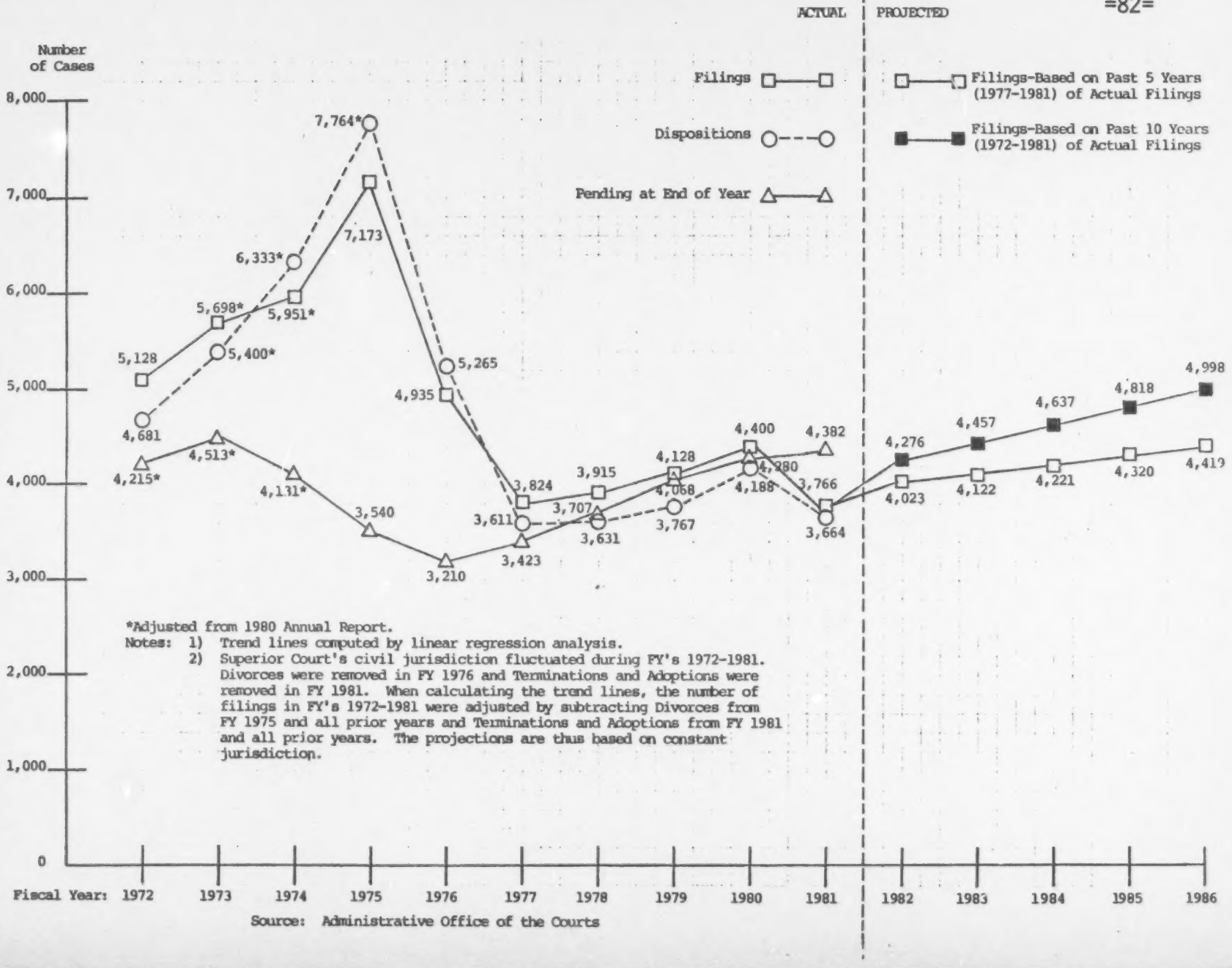
CIVIL TRIAL CALENDAR ACTIVITY

	Cases Tried		Cases Settled or Dismissed		Cases Continued for Settlement		Cases Continued Due to Lack of Judge		Cases Continued at Request of Attorney		Total Trials Scheduled	
New Castle	99	19.3%	200	38.9%	5	1.0%	8	1.6%	202	39.3%	514	100.0%
Kent	20	12.4%	60	37.3%	4	2.5%	1	0.6%	76	47.2%	161	100.0%
Sussex	17	28.3%	19	31.7%	0	0.0%	3	5.0%	21	35.0%	60	100.0%
State	136	18.5%	279	38.0%	9	1.2%	12	1.6%	299	40.7%	735	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



*Adjusted from 1980 Annual Report.

Notes: 1) Trend lines computed by linear regression analysis.

2) Superior Court's civil jurisdiction fluctuated during FY's 1972-1981. Divorces were removed in FY 1976 and Terminations and Adoptions were removed in FY 1981. When calculating the trend lines, the number of filings in FY's 1972-1981 were adjusted by subtracting Divorces from FY 1975 and all prior years and Terminations and Adoptions from FY 1981 and all prior years. The projections are thus based on constant jurisdiction.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
PERFORMANCE SUMMARY

	Complaints		Mechanic's Liens and Mortgages		Terminations and Adoptions	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	1,335	513.5 days	391	178.6 days	114	163.2 days
Kent	194	517.1 days	51	219.4 days	40	217.3 days
Sussex	170	455.8 days	74	195.9 days	70	731.1 days
State	1,699	508.2 days	516	185.2 days	224	350.3 days

	Appeals		Involuntary Commitments		Miscellaneous	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	222	400.0 days	543	49.0 days	350	124.8 days
Kent	14	254.3 days	0	-	26	33.5 days
Sussex	24	422.2 days	0	-	46	69.1 days
State	260	394.2 days	543	49.0 days	422	113.1 days

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
PERFORMANCE BREAKDOWNS

COMPLAINTS - ELAPSED TIME - PART ONE

	Cases Placed for Trial		Cases Not Placed for Trial		TOTALS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	355 26.6%	901.0 days	980 73.4%	373.2 days	1,335 100.0%	513.5 days
Kent	Not Applicable		Not Applicable		194 100.0%	517.1 days
Sussex	Not Applicable		Not Applicable		170 100.0%	455.8 days
State	Not Applicable		Not Applicable		1,699 100.0%	508.2 days

COMPLAINTS - ELAPSED TIME - PART TWO

	Cases Disposed of By: Trial		Default Judgment		Voluntary Dismissal		Other		TOTALS	
	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition
New Castle	95 7.1%	838.1 days	208 15.6%	128.1 days	792 59.3%	550.4 days	240 18.0%	597.5 days	1,335 100.0%	513.5 days
Kent	14 7.2%	1,081.7 days	21 10.8%	114.2 days	148 76.3%	514.4 days	11 5.7%	603.6 days	194 100.0%	517.1 days
Sussex	8 4.7%	695.0 days	26 15.3%	92.7 days	88 51.8%	446.0 days	48 28.2%	630.5 days	170 100.0%	455.8 days
State	117 6.9%	857.5 days	255 15.0%	123.3 days	1,028 60.5%	536.3 days	299 17.6%	603.1 days	1,699 100.0%	508.2 days

Disps. = Dispositions
No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1981
CIVIL CASES
PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME - PART ONE

	Cases Placed for Trial		Cases Not Placed for Trial		TOTALS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	11 2.8%	780.2 days	380 97.2%	161.2 days	391 100.0%	178.6 days
Kent	Not Applicable		Not Applicable		51 100.0%	219.4 days
Sussex	Not Applicable		Not Applicable		74 100.0%	195.9 days
State	Not Applicable		Not Applicable		516 100.0%	185.2 days

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME - PART TWO

	Cases Disposed of By: Trial		Default Judgment		Voluntary Dismissal		Other		TOTALS	
	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition
New Castle	6 1.5%	515.0 days	205 52.4%	77.3 days	134 34.3%	189.5 days	46 11.8%	543.5 days	391 100.0%	178.6 days
Kent	0 0.0%	-	30 58.8%	77.4 days	19 37.3%	146.5 days	2 3.9%	192.0 days	51 100.0%	219.4 days
Sussex	1 1.4%	449.0 days	39 52.7%	72.3 days	25 33.8%	247.0 days	9 12.2%	561.7 days	74 100.0%	195.9 days
State	7 1.4%	579.1 days	274 53.1%	76.6 days	178 34.5%	225.0 days	57 11.0%	534.1 days	516 100.0%	185.2 days

Disps. = Dispositions
No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

Law Libraries

LAW LIBRARIES

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of counties and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U.S. Government Printing Office. As state-supported agencies, the libraries are available to the general public during normal working hours. Aid and assistance is rendered to persons wishing to make use of the facilities.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses in excess of 25,000 books and there is presently seated working space for about 26 persons at one time. The addition of a microfiche reader printer to the New Castle County Law Library has proven to be a valuable one. The facility is maintained and administered by a full-time Law Librarian and a part-time Library Assistant. The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state with about 35,000 volumes and is staffed by one full-time librarian and one part-time assistant. The Sussex County Law Library is staffed by one Law Librarian and houses over 13,000 volumes.

All three libraries are currently in need of space for expansion due to the growing number of volumes. In addition, the Kent and Sussex Libraries have recently experienced physical problems - leaking roofs in Kent and structural difficulties in Sussex.

The Law Libraries are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts, maintenance of loose leaf service bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the Legislative Council and other states, handling requests from various persons for information contained in the library, handling special requests for research work from the judges, planning and recommending development and improvement of services, writing reports, and performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

New Castle County Law Library
Public Building
1020 North King Street
Wilmington, DE 19801
(571-2437)

Law Librarian
Rene Yucht

KENT COUNTY

Kent County Law Library
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5467, 736-1525)

Law Librarian
Carol N. Russell

Assistant Librarian
Judy Skadsburg

SUSSEX COUNTY

Sussex County Law Library
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5483, 856-5235)

Law Librarian
Mary F. Tylecki

Family Court

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown,

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, and abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, interference with family relationships, and intra-family misdemeanor crimes. Additionally, Family Court gained jurisdiction over terminations of parental rights and adoptions on 9/9/80. Adoptions and terminations filed in Superior Court prior to that date will be disposed of in Superior Court.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first degree murder, rape, or kidnapping.

Appeals are made on the record to Superior Court, except divorce and support cases, which are appealed directly to the Supreme Court.

Judges

Number: The Court is composed of 12 judges of equal judicial authority, one of whom is Chief Judge, who is the chief administrative and executive officer for the Court. Half of the judges must be of one major political party and half of the other major political party.

Appointment: The Governor appoints the judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least 5 years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

The Chief Judge appoints and commissions masters for the Court who shall hold office at his pleasure and must have resided in the State for at least 5 years prior to their appointment. Masters may hear any matters properly before them, and their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

Support Personnel

The 3 major administrative divisions of the Court are: Court Operations, Fiscal Services, and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 210 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, process servers, and hearing officers in mediation and arbitration cases, as well as volunteers working in all areas of the Court.

Caseload Trend

Filings in Family Court rose by 11.0% in FY 1981, from 27,625 in FY 1980 to 30,654 in FY 1981. Dispositions increased by 4,457, or 17.1%, from 26,082 in FY 1980 to 30,539 in FY 1981.

The filings that were pending increased from 6,382 at the end of FY 1980 to 6,497 at the end of FY 1981, a 1.8% increase. Adult criminal pending increased by 14.3%, juvenile delinquency cases pending decreased by 1.6%, and civil cases pending rose by 2.7%.

JUDICIARY

Chief Judge
Hon. Robert D. Thompson (D, 10/25/86)
Grace Davis, Secretary
(856-5301)

NEW CASTLE COUNTY

Associate Judges
Hon. Roxana C. Arsht (D, 7/28/83)
Sally McKendrick, Secretary
(571-2257)
Hon. Robert W. Wakefield (R, 3/16/84)
Janie Bebber, Secretary
(571-2254)
Hon. James J. Horgan (D, 9/29/88)
Kathy Mort, Secretary
(571-2229)
Hon. Jay Paul James (R, 6/30/90)
Bernadette DiFrancesco, Secretary
(571-2226)
Hon. Karl J. Parrish (D, 10/30/90)
Carol Walton, Secretary
(571-2232)
Hon. Vincent J. Poppiti (D, 1/24/91)
Mary Jane DeMatteis, Secretary
(571-2432)
Hon. John T. Gallagher (D, 11/6/91)
Lynn Booth, Secretary
(571-3923)
Hon. Jay H. Conner (R, 12/17/93)
Dolores A. Howard, Secretary
(571-6286)

KENT COUNTY

Associate Judges
Hon. David P. Buckson (R, 4/24/87)
Ruth Potter, Secretary
(736-4565)
Hon. Roger D. Kelsey (R, 7/28/87)
Karen Price, Secretary
(736-4513)

SUSSEX COUNTY

Associate Judges
Hon. William Swain Lee (R, 7/1/89)
Mary Lu McCabe, Secretary
(856-5417)

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Family Court
Family Court Building
900 North King Street
P.O. Box 2359
Wilmington, DE 19899
(571-2200)

Acting Chief Master
David J. Haley
Margaret Hoinowski, Secretary
(571-2303)

Masters
William H. McDonough
Ellen McGaughan, Secretary
(571-2417)
Frederic H. Kenney
Evelyn Barkovic, Secretary
(571-2593)
Susan F. Paikin
Lynne Taylor, Secretary
(571-2212)
Michael K. Newell
Carol Strannahan, Secretary
(571-3867)
Nathan Rosbrow

Acting Director of Court Operations
D. Thomas Reardon
Edith White, Secretary
(571-2209)

KENT COUNTY

Family Court
Arden Building
11 North Street
P.O. Box 310
Dover, DE 19901
(736-4501)

Gary E. Grubb
Carol Paisley, Secretary
(736-5031)

SUSSEX COUNTY

Family Court
Family Court Building
Race and East Pine Streets
P.O. Box 609
Georgetown, DE 19947
(856-7702)

Rosemary Betts
(856-5638)

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Assistant Director Randall E. Williams (571-2241)		
Assistant Director for Research and Planning Emmett M. Partin (571-2215)		
Deputy Directors Vacant Vacant, Secretary (571-2216)	James F. Truitt Maureen Haldeman, Secretary (736-4297)	Robert F. Stuart (856-5515)
Director of Treatment Services Vacant		
Director of Fiscal Services William B. Breighner (571-2222)		
Director of Personnel Services Robert F. Jackson (571-2296)		

FAMILY COURT

FISCAL YEAR 1981
WORKLOAD SUMMARY

	Number of Defendants and Civil Cases					
	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	4,497	19,653	19,743	4,407	- 90	- 2.0%
Kent	1,189	5,437	5,301	1,325	+136	+11.4%
Sussex	696	5,564	5,495	765	+ 69	+ 9.9%
State	6,382	30,654	30,539	6,497	+115	+ 1.8%

COMPARISON - FISCAL YEARS 1980-1981
WORKLOAD

FILINGS

	Number of Defendants and Civil Cases			
	1980	1981	Change	% Change
New Castle	17,243	19,653	+2,410	+14.0%
Kent	4,969	5,437	+ 468	+ 9.4%
Sussex	5,413	5,564	+ 151	+ 2.8%
State	27,625	30,654	+3,029	+11.0%

DISPOSITIONS

	Number of Defendants and Civil Cases			
	1980	1981	Change	% Change
New Castle	16,035	19,743	+3,708	+23.1%
Kent	4,846	5,301	+ 455	+ 9.4%
Sussex	5,201	5,495	+ 294	+ 5.7%
State	26,082	30,539	+4,457	+17.1%

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1981
TOTAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal and juvenile delinquency cases is the defendant case.

2. A defendant case is defined as one or more incidents filed against a defendant at a single point in time. A defendant with more than one charge against him is counted as one defendant. A defendant brought before Family Court twice during the same fiscal year for separate incidents is counted as two defendants.

3. The unit of count in civil actions is the case filing.

4. A civil case filing is defined as a single civil incident filed with Family Court. A civil incident may be initiated by a petition or contempt complaint.

5. On 9/11/80, jurisdiction over adoptions and terminations of parental rights was transferred to Family Court from Superior Court. Superior Court continues to hear those adoptions and terminations filed in Superior Court prior to that date. However, all new cases are filed in Family Court.

FAMILY COURT

FISCAL YEAR 1981
ADULT CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Defendants Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	148	1,904	1,868	184	+ 36	+24.3%
Kent	54	351	353	52	- 2	- 3.7%
Sussex	28	361	362	27	- 1	- 3.6%
State	230	2,616	2,583	263	+ 33	+14.3%

COMPARISON - FISCAL YEARS 1980-1981
ADULT CRIMINAL CASES
WORKLOAD

FILINGS

	Number of Defendants 1980	1981	Change	% Change
New Castle	1,706	1,904	+198	+11.6%
Kent	339	351	+ 12	+ 3.5%
Sussex	309	361	+ 52	+16.8%
State	2,354	2,616	+262	+11.1%

DISPOSITIONS

	Number of Defendants 1980	1981	Change	% Change
New Castle	1,763	1,868	+105	+ 6.0%
Kent	357	353	- 4	- 1.1%
Sussex	285	362	+ 77	+27.0%
State	2,405	2,583	+178	+ 7.4%

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1981
JUVENILE DELINQUENCY CASES
WORKLOAD SUMMARY

	Number of Defendants Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	1,582	7,060	7,155	1,487	- 95	- 6.0%
Kent	215	1,362	1,295	282	+ 67	+31.2%
Sussex	171	1,448	1,451	168	- 3	- 1.8%
State	1,968	9,870	9,901	1,937	- 31	- 1.6%

COMPARISON - FISCAL YEARS 1980-1981
JUVENILE DELINQUENCY CASES
WORKLOAD

FILINGS

	Number of Defendants 1980	1981	Change	% Change
New Castle	6,303	7,060	+757	+12.0%
Kent	1,253	1,362	+109	+ 8.7%
Sussex	1,399	1,448	+ 49	+ 3.5%
State	8,955	9,870	+915	+10.2%

DISPOSITIONS

	Number of Defendants 1980	1981	Change	% Change
New Castle	5,873	7,155	+1,282	+21.8%
Kent	1,313	1,295	- 18	- 1.4%
Sussex	1,366	1,451	+ 85	+ 6.2%
State	8,552	9,901	+1,349	+15.8%

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1981
JUVENILE DELINQUENCY CASES
WORKLOAD BREAKDOWNS

FILINGS

	Number of Defendants			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	1,727 24.5%	4,811 68.1%	522 7.4%	7,060 100.0%
Kent	366 26.9%	887 65.1%	109 8.0%	1,362 100.0%
Sussex	349 24.1%	1,003 69.3%	96 6.6%	1,448 100.0%
State	2,442 24.7%	6,701 67.9%	727 7.4%	9,870 100.0%

DISPOSITIONS

	Number of Defendants			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	1,809 25.3%	4,768 66.6%	578 8.1%	7,155 100.0%
Kent	332 25.6%	853 65.9%	110 8.5%	1,295 100.0%
Sussex	352 24.3%	997 68.7%	102 7.0%	1,451 100.0%
State	2,493 25.2%	6,618 66.8%	790 8.0%	9,901 100.0%

PENDING AT END OF YEAR

	Number of Defendants			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	565 38.0%	855 57.5%	67 4.5%	1,487 100.0%
Kent	88 31.2%	179 63.5%	15 5.3%	282 100.0%
Sussex	27 16.1%	132 78.6%	9 5.4%	168 100.0%
State	680 35.1%	1,166 60.2%	91 4.7%	1,937 100.0%

CHANGE IN PENDING

	Number of Defendants			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	-82	+43	-56	-95
Kent	+34	+34	- 1	+67
Sussex	- 3	+ 6	- 6	- 3
State	-51	+83	-63	-31

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	2,767	10,689	10,720	2,736	- 31	- 1.1%
Kent	920	3,724	3,653	991	+ 71	+ 7.7%
Sussex	497	3,755	3,682	570	+ 73	+14.7%
State	4,184	18,168	18,055	4,297	+113	+ 2.7%

COMPARISON - FISCAL YEARS 1980-1981
CIVIL CASES
WORKLOAD

FILINGS

	1980	1981	Change	% Change
New Castle	9,234	10,689	+1,455	+15.8%
Kent	3,377	3,724	+ 347	+10.3%
Sussex	3,705	3,755	+ 50	+ 1.3%
State	16,316	18,168	+1,852	+11.4%

DISPOSITIONS

	1980	1981	Change	% Change
New Castle	8,399	10,720	+2,321	+27.6%
Kent	3,176	3,653	+ 477	+15.0%
Sussex	3,550	3,682	+ 132	+ 3.7%
State	15,125	18,055	+2,930	+19.4%

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody/ Visitation	
New Castle	2,393	22.4%	790	7.4%	2,474	23.1%	1,441	13.5%	642	6.0%	1,077	10.1%
Kent	800	21.5%	240	6.4%	804	21.6%	523	14.0%	193	5.2%	754	20.2%
Sussex	572	15.2%	146	3.9%	709	18.9%	520	13.8%	563	15.0%	800	21.3%
State	3,765	20.7%	1,176	6.5%	3,987	21.9%	2,484	13.7%	1,398	7.7%	2,631	14.5%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	340	3.2%	560	5.2%	91	0.9%	65	0.6%	816	7.6%	10,689	100.0%
Kent	123	3.3%	96	2.6%	36	1.0%	21	0.6%	134	3.6%	3,724	100.0%
Sussex	99	2.6%	74	2.0%	31	0.8%	18	0.5%	223	5.9%	3,755	100.0%
State	562	3.1%	730	4.0%	158	0.9%	104	0.6%	1,173	6.5%	18,168	100.0%

DISPOSITIONS

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody/ Visitation	
New Castle	2,307	21.5%	1,087	10.1%	2,526	23.6%	1,318	12.3%	608	5.7%	1,136	10.6%
Kent	753	20.6%	280	7.7%	797	21.8%	497	13.6%	201	5.5%	761	20.8%
Sussex	477	13.0%	219	5.9%	734	19.9%	463	12.6%	593	16.1%	705	19.1%
State	3,537	19.6%	1,586	8.8%	4,057	22.5%	2,278	12.6%	1,402	7.8%	2,602	14.4%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	325	3.0%	528	4.9%	65	0.6%	30	0.3%	790	7.4%	10,720	100.0%
Kent	117	3.2%	101	2.8%	15	0.4%	9	0.2%	122	3.3%	3,653	100.0%
Sussex	90	2.4%	71	1.9%	9	0.2%	11	0.3%	310	8.4%	3,682	100.0%
State	532	2.9%	700	3.9%	89	0.5%	50	0.3%	1,222	6.8%	18,055	100.0%

Source: Director of Court Operations, Family Court

FAMILY COURT

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody/ Visitation	
New Castle	850	31.1%	671	24.5%	301	11.0%	386	14.1%	150	5.5%	134	4.9%
Kent	298	30.1%	79	8.0%	153	15.4%	157	15.8%	40	4.0%	147	14.8%
Sussex	212	37.2%	27	4.7%	59	10.4%	71	12.5%	14	2.5%	131	23.0%
State	1,360	31.6%	777	18.1%	513	11.9%	614	14.3%	204	4.7%	412	9.6%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	46	1.7%	55	2.0%	26	1.0%	35	1.3%	82	3.0%	2,736	100.0%
Kent	31	3.1%	12	1.2%	21	2.1%	12	1.2%	41	4.1%	991	100.0%
Sussex	14	2.5%	6	1.1%	22	3.9%	7	1.2%	7	1.2%	570	100.0%
State	91	2.1%	73	1.7%	69	1.6%	54	1.3%	130	3.0%	4,297	100.0%

CHANGE IN PENDING

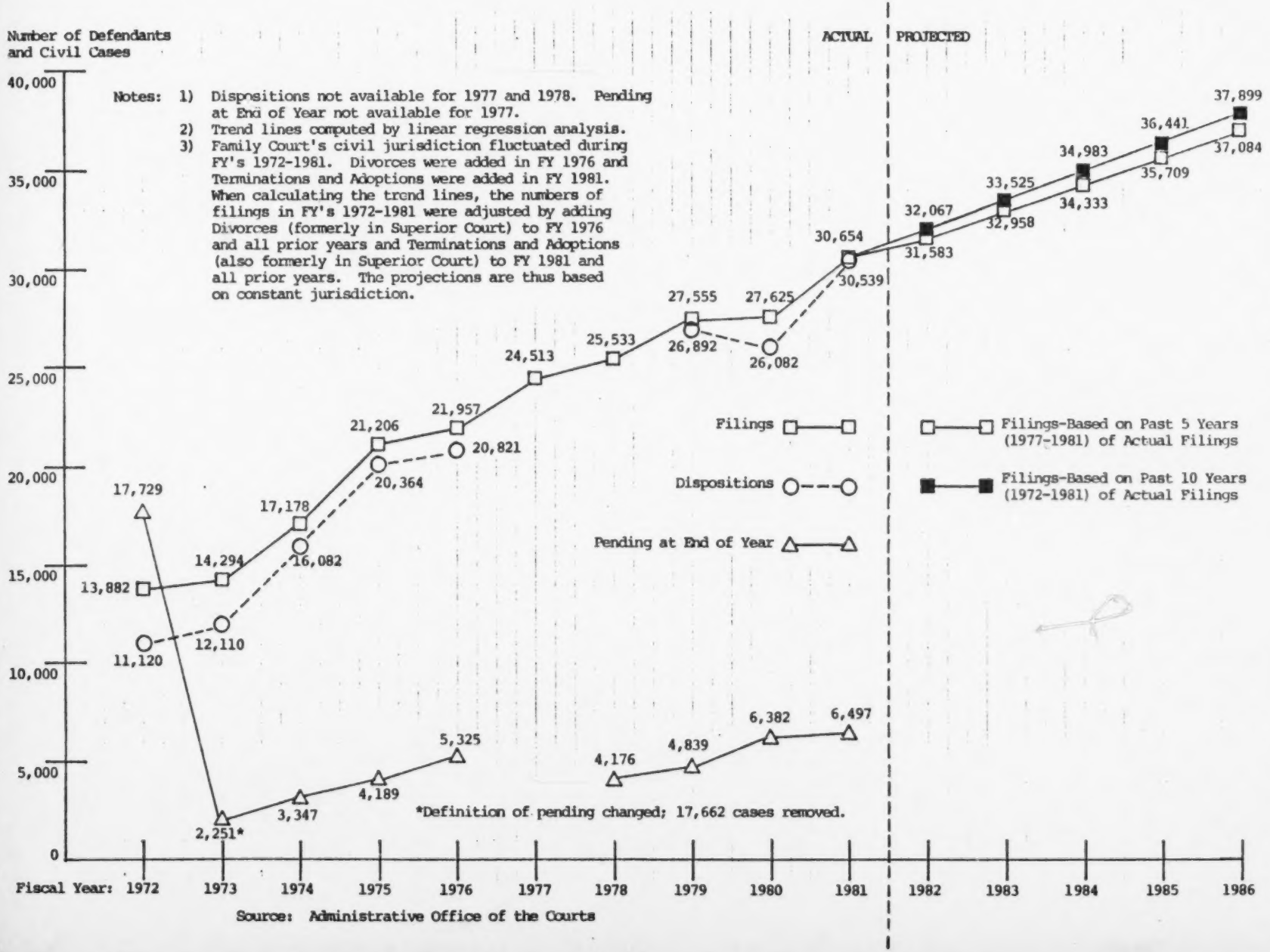
	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody/ Visitation
New Castle	+ 86	-297	-52	+123	+34	- 59
Kent	+ 47	- 40	+ 7	+ 26	- 8	- 7
Sussex	+ 95	- 73	-25	+ 57	-30	+ 95
State	+228	-410	-70	+206	- 4	+ 29

	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	+ 15	+ 32	+26	+ 35	+26	- 31
Kent	+ 6	- 5	+21	+ 12	+12	+ 71
Sussex	+ 9	+ 3	+22	+ 7	-87	+ 73
State	+ 30	+ 30	+69	+ 54	-49	+113

Source: Director of Court Operations, Family Court

FAMILY COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL DEFENDANTS AND CIVIL CASES



Source: Administrative Office of the Courts

Court of Common Pleas

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15, and 16, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed $5,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to all defendants but in New Castle County jury trials are referred to Superior Court for disposition.

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. The Judges are appointed by the Governor with the consent of the Senate for 12 year terms and must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. No more than a majority of one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, and consist of a Court Administrator (Chief Clerk), one Chief Deputy Clerk for each county, and such other employees as are necessary, including Bailiffs, Court Reporters, Secretaries, Clerks, Presentence Officers, etc.

Caseload Trend

The number of criminal and civil cases filed in the Court of Common Pleas rose again in FY 1981. Criminal case filings rose in all three counties, increasing by over 10% in each county with a statewide increase of 12.3%. The statewide increase in FY 1980 was 28.6%. Dispositions of criminal cases in FY 1981 also rose by over 10% in each of the counties with a statewide increase of 14.6%, which compared with the 23.7% statewide increase in FY 1980. Despite the increase in dispositions, the large number of filings led to a 14.3% increase in criminal

cases pending during the year. In contrast, there was a decrease in the number of civil case filings, with the State showing a reduction of 3.3%. This is a change from the 8.8% increase in FY 1980. It should be noted that civil cases filed have become more complicated and there has been a tremendous increase in the use of motion practice and discovery procedures. While this delays disposition in a number of cases, it is felt that the disposal of more complicated cases better serves the whole judicial system in the general movement of civil cases. The number of civil cases disposed of in FY 1980 fell by 13.5%, which was a major reason why there was a 21.8% increase in civil cases pending at year's end.

COURT OF COMMON PLEAS

JUDICIARY

NEW CASTLE COUNTY

Chief Judge
Hon. Robert H. Wahl (D, 10/6/83)
Beulah O. Goldsborough, Secretary
(571-2412)

Resident Judges
Hon. Arthur F. DiSabatino (R, 10/6/83)
Margaret Renai, Secretary
(571-2411)
Hon. William C. Bradley, Jr. (D, 9/29/88)
Peggy Papili, Secretary
(571-2410)

KENT COUNTY

Resident Judge
Hon. Merrill C. Trader (R, 9/12/84)
Mary Elyn Massey, Secretary
(736-4617)

SUSSEX COUNTY

Resident Judge
Hon. Paul E. Ellis (D, 4/18/85)
Katherine Truitt, Secretary
(856-5333)

COURT OF COMMON PLEAS

SUPPORT PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Court of Common Pleas Public Building 1020 North King Street Wilmington, Delaware 19801	Court of Common Pleas Kent County Courthouse 38 The Green Dover, Delaware 19901	Court of Common Pleas Sussex County Courthouse The Circle Georgetown, Delaware 19947
Court Administrator Carole B. Kirshner Sharon Berkowitz, Secretary (571-2804)		
Clerks Timothy Donovan, Jr. (571-2430)	Ruth Biddle (736-4618)	Doris Wilkins (856-5333)
Deputy Clerks Angeline M. Pineault	Anna Benton	Jean Henry
Assistant Clerks Phyllis Feingold Elizabeth Jonkiert	Frances Bergold	
Account Supervisor Catherine Wharton		
Collections Officer Louis Slutsky		
Court Reporters Carol Schatzman Cheryl Simmons Jacalyn Anstey C. Marie Fontello, Typist Transcriber (571-2863)	Sheila Dougherty	Raymond Kenney Vera Elliott, Typist Transcriber
Presentence Officers John Jaremchuk, Jr., Chief Carolyn Short Renee Coddington Alan Haase		**Alcohol Coordinating Counselor** Dallas Fleetwood

COURT OF COMMON PLEAS

FISCAL YEAR 1981
CRIMINAL CASES*
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	1,007	6,910	6,741	1,176	+169	+16.8%
Kent	185	1,616	1,620	181	- 4	- 2.2%
Sussex	335	2,176	2,122	389	+ 54	+16.1%
State	1,527	10,702	10,483	1,746	+219	+14.3%

COMPARISON - FISCAL YEARS 1980-1981
CRIMINAL CASES*
WORKLOAD

FILINGS

	1980	1981	Change	% Change
New Castle	6,184	6,910	+ 726	+11.7%
Kent	1,438	1,616	+ 178	+12.4%
Sussex	1,907	2,176	+ 269	+14.1%
State	9,529	10,702	+1,173	+12.3%

DISPOSITIONS

	1980	1981	Change	% Change
New Castle	5,988	6,741	+ 753	+12.6%
Kent	1,362	1,620	+ 258	+18.9%
Sussex	1,799	2,122	+ 323	+18.0%
State	9,149	10,483	+1,334	+14.6%

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1981
CRIMINAL CASES*
WORKLOAD BREAKDOWNS

FILINGS

	Original**	Optional Transfers#	Mandatory Transfers##	Reduced to Misdemeanor¶	TOTALS	Preliminary Hearings
New Castle	508 7.4%	5,047 73.0%	1,177 17.0%	178 2.6%	6,910 100.0%	3,141
Kent	67 4.1%	1,275 78.9%	248 15.3%	26 1.6%	1,616 100.0%	1,266
Sussex	60 2.8%	1,466 67.4%	408 18.8%	242 11.1%	2,176 100.0%	1,339
State	635 5.9%	7,788 72.8%	1,833 17.1%	446 4.2%	10,702 100.0%	5,746

DISPOSITIONS

	Jury	Non-Jury	TOTALS
New Castle	0 0.0%	6,741 100.0%	6,741 100.0%
Kent	32 2.0%	1,588 98.0%	1,620 100.0%
Sussex	10 0.5%	2,112 99.5%	2,122 100.0%
State	42 0.4%	10,441 99.6%	10,483 100.0%

PENDING AT END OF YEAR

	Capiases	Other¶¶	TOTALS
New Castle	541 46.0%	635 54.0%	1,176 100.0%
Kent	29 16.0%	152 84.0%	181 100.0%
Sussex	65 16.7%	324 83.3%	389 100.0%
State	635 36.4%	1,111 63.6%	1,746 100.0%

CHANGE IN PENDING

	Capiases	Other¶¶	TOTALS
New Castle	+71	+ 98	+169
Kent	-10	+ 6	- 4
Sussex	- 1	+ 55	+ 54
State	+60	+159	+219

*The unit of count in criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

**Charges filed initially in the Court of Common Pleas.

#Charges filed originally in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

##Charges originally filed in Justice of the Peace Courts which by statute must be transferred to the Court of Common Pleas.

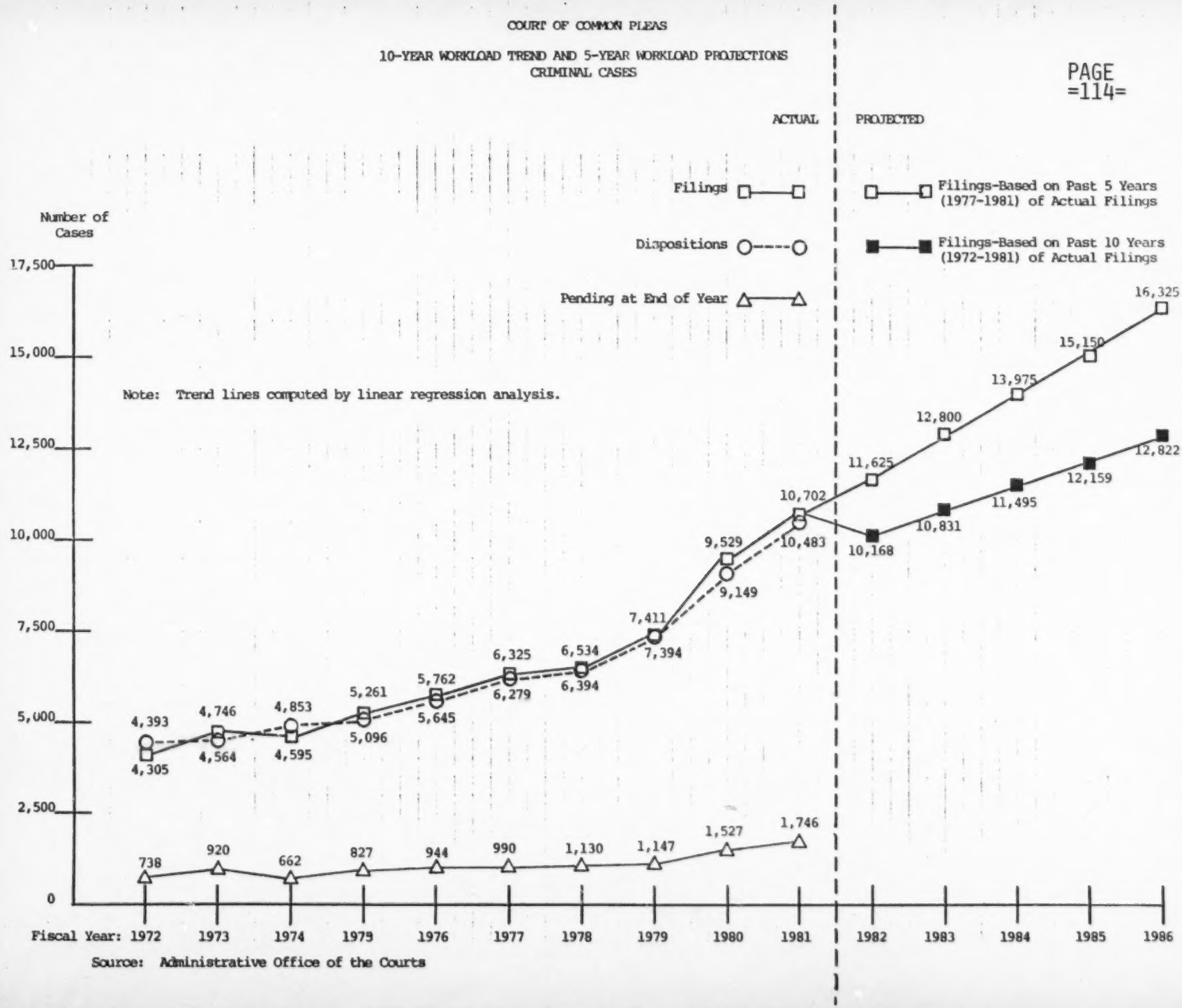
¶Felony charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and plead guilty to.

¶¶Includes triable cases and first offenders undergoing rehabilitation according to the Driving Under the Influence statute.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1981
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending 6/30/80	Investigations Ordered	Investigations Completed*	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	79	344	356	67	-12	-15.2%
Kent**	7	24	29	2	- 5	-71.4%
Sussex**	10	55	55	10	0	0.0%
State	96	423	440	79	-17	-17.7%

COMPARISON - FISCAL YEARS 1980-1981
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1980	1981	Change	% Change
New Castle	386	344	-42	-10.9%
Kent**	16	24	+ 8	+50.0%
Sussex**	52	55	+ 3	+ 5.8%
State	454	423	-31	- 6.8%

INVESTIGATIONS COMPLETED*

	1980	1981	Change	% Change
New Castle	347	356	+ 9	+ 2.6%
Kent**	10	29	+19	+190.0%
Sussex**	49	55	+ 6	+ 12.2%
State	406	440	+34	+ 8.4%

*In New Castle County and Sussex County, an investigation is considered completed when it has been written and typed. In Kent County, an investigation is considered completed when it has been written.
**Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas, and Superior Court Presentence Offices, Kent and Sussex Counties

COURT OF COMMON PLEAS

FISCAL YEAR 1981
PRESENTENCE OFFICE
PERFORMANCE

	No. of Defendants Sentenced After Presentence Investigation	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
New Castle	351	44.8 days	0.5 days	45.3 days	2.3 days	47.6 days
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

PRODUCTIVITY

	INVESTIGATIONS			TYPING		
	Number of Investigations Written	Number of Investigators Available	Average Number Completed Per Investigator	Number of Investigations Typed	Number of Typists Available	Average Number Typed Per Typist
New Castle	356	3.0	9.9/month, 118.7/year	356	1.0	29.7/month, 356.0/year
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

No. = Number
N.A. = Not Available

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle	1,698	2,901	2,389	2,210	+512	+30.2%
Kent	229	451	479	201	- 28	-12.2%
Sussex	225	581	595	211	- 14	- 6.2%
State	2,152	3,933	3,463	2,622	+470	+21.8%

COMPARISON - FISCAL YEARS 1980-1981
CIVIL CASES
WORKLOAD

FILINGS

	1980	1981	Change	% Change
New Castle	2,989	2,901	- 88	- 0.3%
Kent	476	451	- 25	- 5.3%
Sussex	604	581	- 23	- 3.8%
State	4,069	3,933	-136	- 3.3%

DISPOSITIONS

	1980	1981	Change	% Change
New Castle	2,968	2,389	-579	-19.5%
Kent	439	479	+ 40	+ 9.1%
Sussex	597	595	- 2	- 0.3%
State	4,004	3,463	-541	-13.5%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Complaints*		Miscellaneous**		TOTALS	
New Castle	2,767	95.4%	134	4.6%	2,901	100.0%
Kent	421	93.3%	30	6.7%	451	100.0%
Sussex	552	95.0%	29	5.0%	581	100.0%
State	3,740	95.1%	193	5.0%	3,933	100.0%

DISPOSITIONS

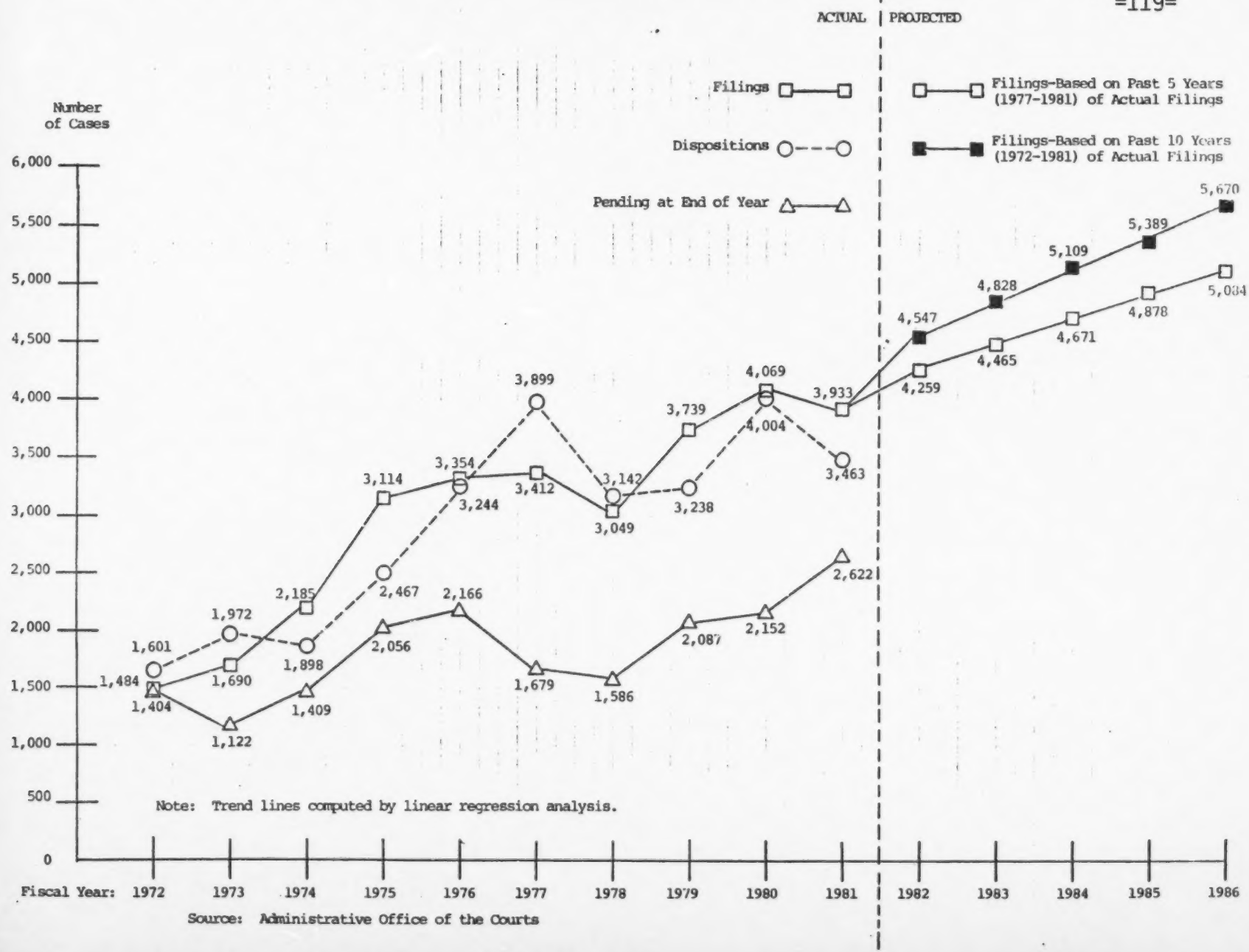
	By Court		By Counsel		TOTALS	
New Castle	643	26.9%	1,746	73.1%	2,389	100.0%
Kent	121	25.3%	358	74.7%	479	100.0%
Sussex	179	30.1%	416	69.9%	595	100.0%
State	943	27.2%	2,520	72.8%	3,463	100.0%

*The Complaints category includes Complaints for Damages, Replevins, Foreign Attachments, and Domestic Attachments.
**The Miscellaneous category includes Civil Judgments and Petitions for Name Change.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Source: Administrative Office of the Courts

Municipal Court

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Section 1701.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The Court has a Violations Division which processes all moving and parking citations.

Judges

Number	- There are 3 Judges of the Municipal Court of Wilmington; not more than 2 of the Judges may be members of the same political party.
Appointment	- The Judges are appointed by the Governor, with the approval by the Senate.
Tenure	- Judges are appointed for 12-year terms.
Qualifications	- The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

There were 8,761 criminal cases filed in the Municipal Court during FY 1981, 202 more than the 8,559 criminal filings from FY 1980. The increase in criminal filings represented a percentage change of +2.4%. Similarly, the 8,649 criminal dispositions in FY 1981 was an increase of 227 dispositions from the 8,422 criminal dispositions in FY 1980. The percentage increase in criminal dispositions from FY 1980 to FY 1981 was +2.7%.

During FY 1981 there were 11,777 traffic filings, far less than the 14,785 traffic filings in FY 1980. The decrease of 3,008 filings represented a decrease of 20.3% in traffic filings between FY 1980 and FY 1981. There was also a decrease of 2,336 traffic dispositions, dropping from 14,493 in FY 1980 to 12,157 in FY 1981. This was a decrease of 16.1% from the previous fiscal year. Traffic filings and dispositions were at their lowest levels since FY 1977.

With the decrease in total filings in FY 1981, and the smaller decrease in total dispositions in FY 1981, the result was an overall decrease in pending cases at the end of the fiscal year. Criminal pending rose by 16.6% but traffic pending declined by 33.8%, with the decrease in total pending being 14.9%, a decline from 1,800 at the beginning to 1,532 at the end of the fiscal year.

MUNICIPAL COURT
Public Building
1000 North King Street
Wilmington, Delaware 19801
(571-2430)

JUDICIARY

Chief Judge
Hon. Alfred R. Fraczkowski (R, 9/11/81)
Karen A. Jones, Executive Secretary
(571-2550)

Associate Judges
Hon. Carl G. Goldstein (R, 7/1/82)
Joyce Vietri, Secretary
(571-4551)
Hon. Leonard L. Williams (D, 6/4/78)
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners
Charles R. Lee, Chief
(571-4534)
T. Roger Barton
(571-4540)
Richard O. Douglas
(571-4546)
Furio R. Casale
(571-4542)
Lawrence L. Fitchett
(571-4541)
Carolyn Carrols, Secretary
(571-4534)

Law Clerks
Susan Markowitz
Margaret Drake
Nicholas Fick

Process Server
Marguerite Johnson

Bailiffs
David Dempsey
Gerald Nolan
Cornelius Morris
William Santiago

Criminal Clerical Staff
Debra Flowers
Josephine Smulski
Kathy Holstein
Patricia M. O'Connor
Audrey Clemmons
Mary E. Devine
Nina McGonegal

Traffic Violation Staff
Shirley Cohen, Supervisor
Carolyn Sylvester
Ann Collins
Debra Butcher

MUNICIPAL COURT

FISCAL YEAR 1981
WORKLOAD SUMMARY*

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
Criminal	675	8,761	8,649	787	+112	+16.6%
Traffic	1,125	11,777	12,157	745	-380	-33.8%
TOTALS	1,800	20,538	20,806	1,532	-268	-14.9%

COMPARISON - FISCAL YEARS 1980-1981
WORKLOAD*

FILINGS

	1980	1981	Change	% Change
Criminal	8,559	8,761	+ 202	+ 2.4%
Traffic	14,785	11,777	-3,008	-20.3%
TOTALS	23,344	20,538	-2,806	-12.0%

DISPOSITIONS

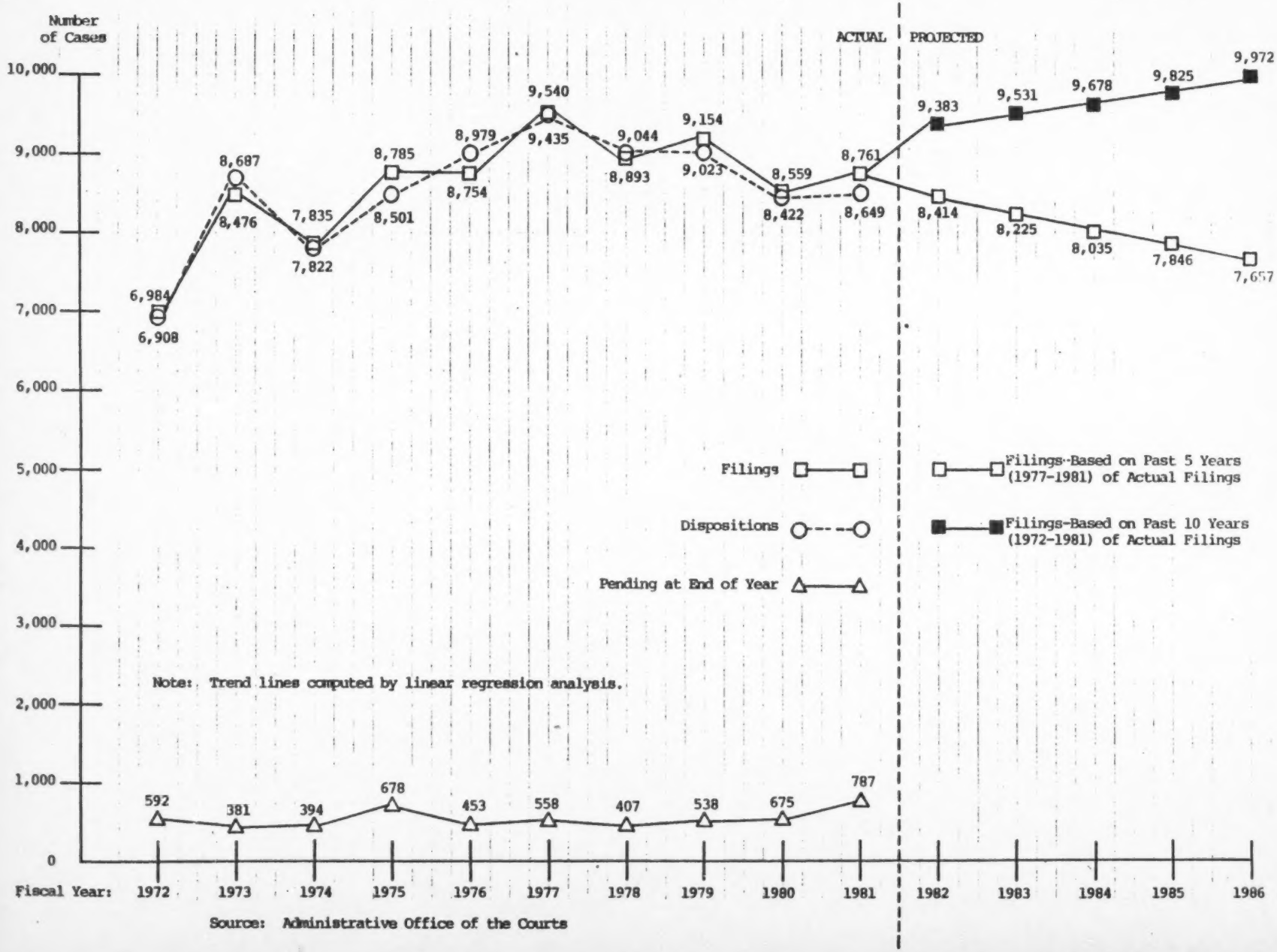
	1980	1981	Change	% Change
Criminal	8,422	8,649	+ 227	+ 2.7%
Traffic	14,493	12,157	-2,336	-16.1%
TOTALS	22,915	20,806	-2,109	- 9.2%

*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

Source: Chief Court Commissioner, Municipal Court

MUNICIPAL COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES

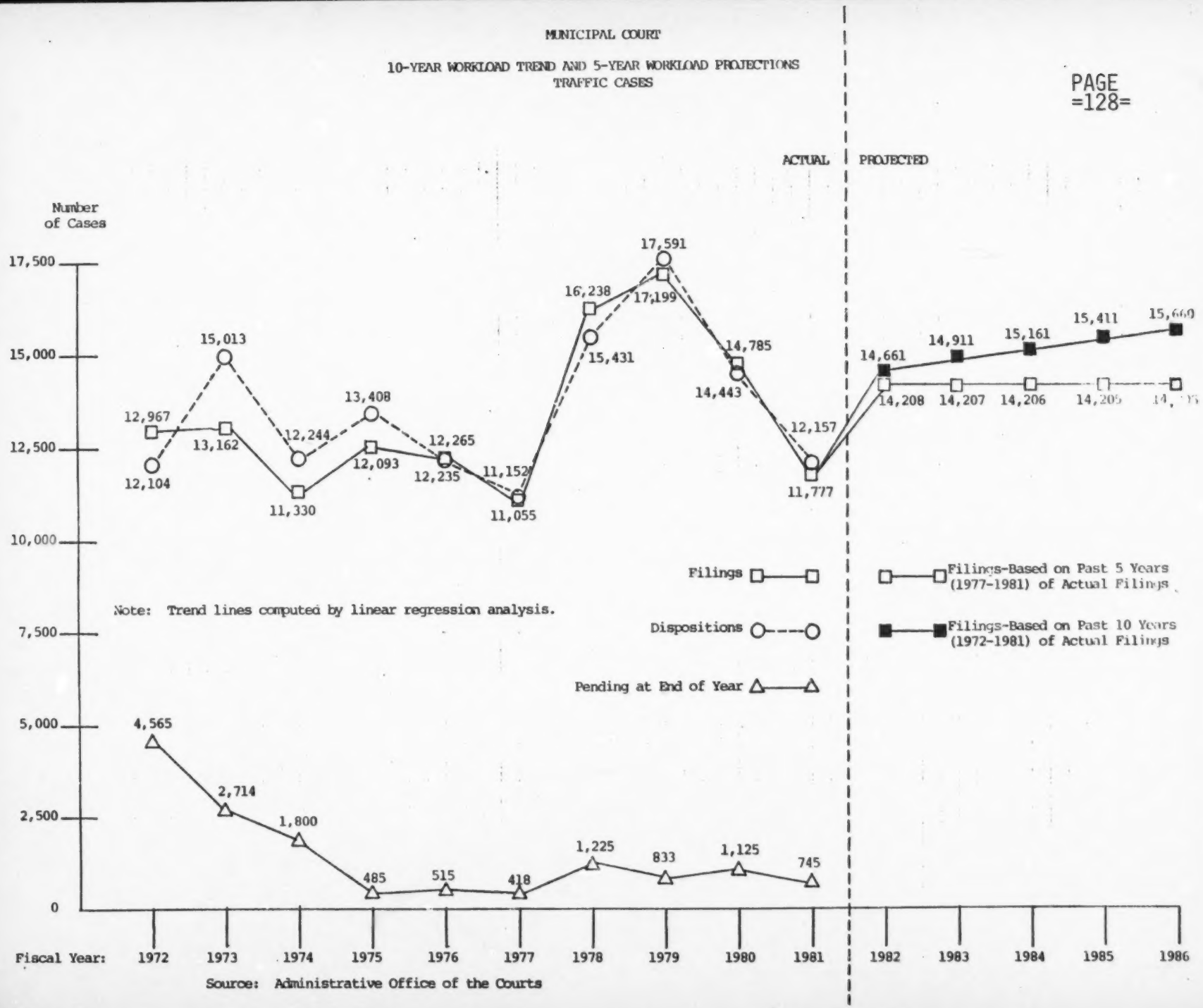


Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

MUNICIPAL COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TRAFFIC CASES

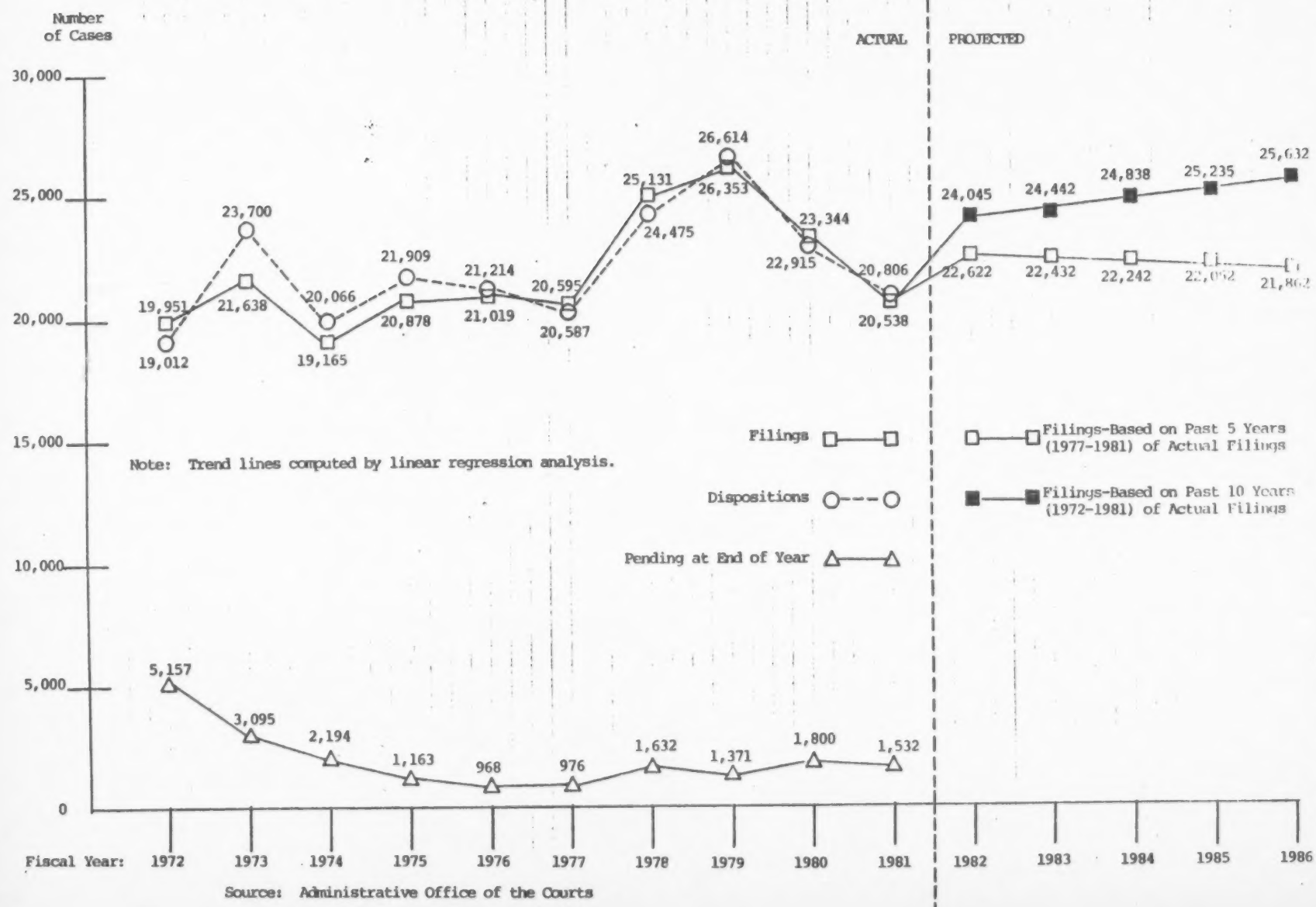


Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

MUNICIPAL COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the State. 19 Courts are currently operating, 8 in New Castle County, 4 in Kent County, and 7 in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed $1,500. JP Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not courts of record, appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace, 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor with Senate confirmation for four-year terms. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator and a pair of administrative officers help the Chief Magistrate direct the JP Courts on a day-to-day basis. The State provides chief clerks, deputy clerks, constables, bailiffs, and presentence officers for the courts.

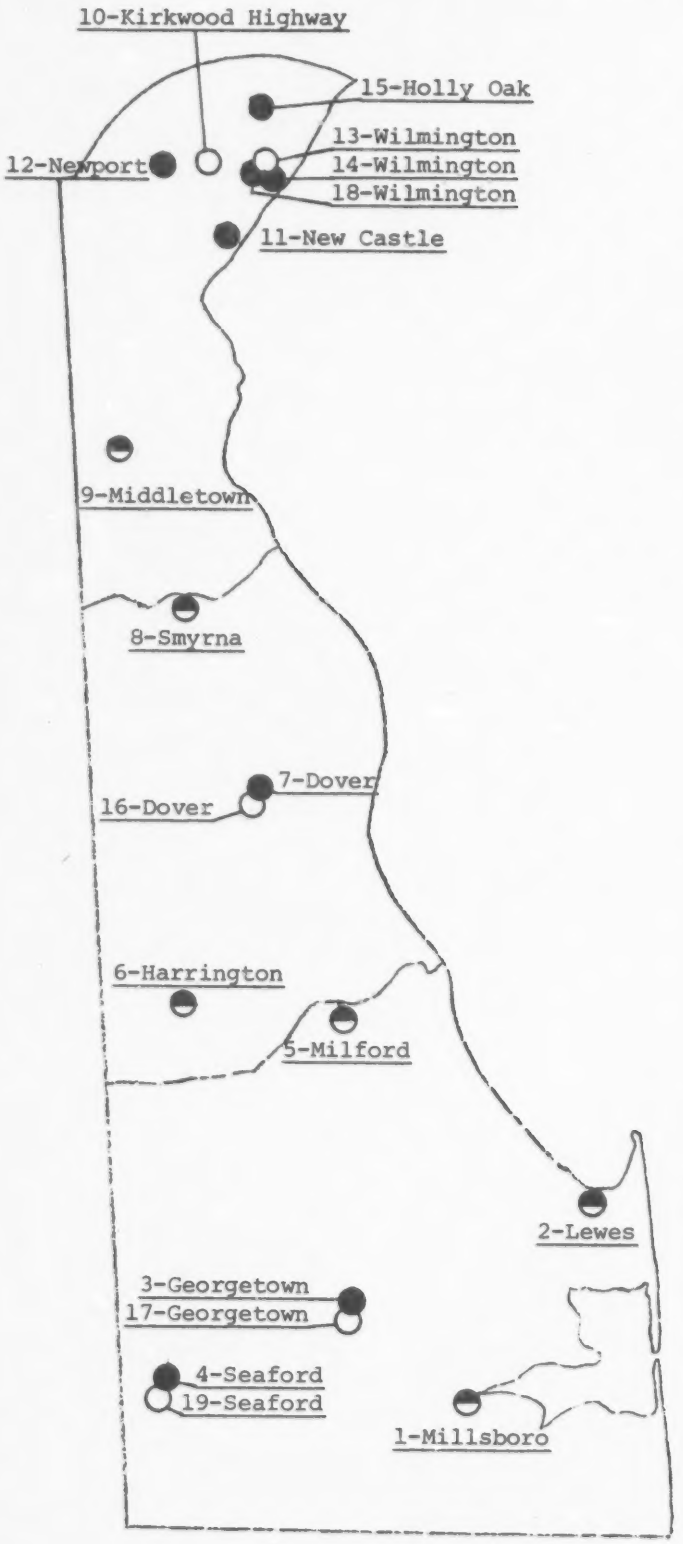
Caseload Trend

The total number of cases filed in the JP Courts during FY 1981 was 151,273, nearly 2,000 above the total in FY 1980. This number of filings was a new high for a single fiscal year in the JP Courts.

Criminal cases rose in FY 1981 to a new high of 131,227 filings, slightly more than the 130,541 criminal filings in FY 1980. Criminal dispositions rose by 1.3% to a new high of 131,610 in FY 1981.

The number of civil cases filed rose by 5.4% in FY 1981 to 20,046 (an all-time high) from the FY 1980 total of 19,028. The number of civil cases pending increased by 10.5% during FY 1981 from 14,412 at the beginning of the fiscal year to 15,931 at the end of FY 1981. The reason for this increase was the drop in civil dispositions from 19,382 in FY 1980 to 18,509 in FY 1981, a decline of 4.5%.

JUSTICE OF THE PEACE COURTS IN DELAWARE



KEY

- Criminal and Traffic Court
- Civil Court
- Criminal, Traffic, and Civil Court

JUSTICE OF THE PEACE COURTS

Court	Location	Hours Open (As of 1/29/82)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 9	Middletown	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 11	New Castle	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8:30AM-4:30PM	40	Civil
Court 14	Wilmington	M-F 8:30AM-4:30PM	40	Criminal
Court 15	Holly Oak	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Court 18	Wilmington	M-Sat 4PM-Midnight	48	Criminal
Kent County				
Court 6	Harrington	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal & Civil
Court 7	Dover	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 8	Smyrna	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal & Civil
Court 16	Dover	M-F 8:30AM-4:30PM	40	Civil
Sussex County				
Court 1	Millsboro	M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes (Winter)	M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
	(Summer)	M, Sun 8AM-4PM; Tu-Sat 8AM-Midnight	96	
Court 3	Georgetown	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 4	Seaford	8AM-Midnight, 7 Days Per Week	112	Criminal
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil
Court 17	Georgetown	M-F 8AM-4PM	40	Civil
Court 19	Seaford	M-F 8:30AM-4:30PM	40	Civil

JUDICIARY

Chief Magistrate
Hon. Norman A. Barron (6/20/84)
Pamela A. Nagle, Clerk Stenographer

New Castle County
Deputy Chief Magistrate
Hon. Morris Levenberg (6/29/85)

Kent County
Deputy Chief Magistrate
Hon. Russell T. Rash (6/29/85)

Sussex County
Deputy Chief Magistrates
Hon. William J. Hopkins, Jr. (3/19/78)
Hon. Thomas J. Orr (5/2/82)

New Castle County
Justices of the Peace
Hon. Andrew G. Ahern, Jr. (6/27/84)
Hon. William W. Brittingham (6/29/85)
Hon. Rebecca P. Button (9/29/80)
Hon. Ronald E. Cheeseman (5/22/84)
Hon. Joseph F. Desmond (1/28/86)
Hon. Mabel M. English (6/22/83)
Hon. Vicki Ann Hagel (5/31/83)
Hon. Barbara C. Hughes (6/29/85)
Hon. Lorin P. Hunt (6/27/84)
Hon. Robert S. Jackson (5/11/83)
Hon. Virginia W. Johnson (6/30/82)
Hon. Vivian K. Kleinman (5/31/83)
Hon. Ann A. Lewis (5/10/83)
Hon. Ruth P. Malm (1/11/81)
Hon. John P. McLaughlin (5/22/84)
Hon. Michael E. McLaughlin (8/5/84)
Hon. Marc P. Niedzielski (6/1/84)
Hon. William S. Rowe, Jr. (6/27/84)
Hon. Rosalie Obara Sullivan (8/5/84)
Hon. Rosalind Toulson (7/2/83)
Hon. John H. Wilding (9/29/80)
Vacant
Vacant

Kent County
Justices of the Peace
Hon. A. Tyson Cohee (5/2/82)
Hon. John H. Fillmore (10/30/79)
Hon. John P. Greene (6/26/84)
Hon. George W. Kershner, III (6/30/82)
Hon. Joseph A. Knussman (6/22/83)
Hon. Donna R. Kramer (6/29/85)
Hon. Paul Neeman (7/2/83)
Hon. Charles M. Stump (6/26/84)
Hon. Harry M. Thompson (5/2/82)
Hon. Wallace P. Wootten (5/9/78)
Vacant

Sussex County
Justices of the Peace
Hon. William A. Booth (5/2/82)
Hon. Emory B. Brittingham (5/2/82)
Hon. Edward G. Davis (7/2/83)
Hon. Jeffrey W. Hague (7/1/84)
Hon. Robert F. Handy (6/5/84)
Hon. Henry F. Hill (6/5/84)
Hon. Aubrey T. Hudson (6/22/83)
Hon. Thomas W. Hutson, Jr. (6/27/83)
Hon. John H. McQuay (1/12/81)
Hon. Almetia J. Murray (5/2/82)
Hon. Horace W. Short (6/26/84)
Hon. Abigayle Truitt (7/2/83)
Hon. Emory R. West, Sr. (6/22/83)
Hon. Donald F. Yerkes (8/5/84)
Vacant

SUPPORT PERSONNEL

NEW CASTLE COUNTY

CHIEF MAGISTRATE'S OFFICE
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-2485)

Administrator
Arthur R. Carello
Phyllis Wilson, Secretary

Administrative Officers
Thomas W. Nagle
Mary E. Cooper
Christine Hojnicki, Clerk

Administrative Assistant
Sandra L. Cummings

COURT 9
18 South Broad Street
Kirkwood Highway
Middletown, DE 19709
(571-2499)

Chief Clerk
Agnes B. Thompson

KENT COUNTY

COURT 6
Post Office Box 3
Route 13
Harrington, DE 19952
(736-4558)

Chief Clerk
Betty Pleasanton

SUSSEX COUNTY

COURT 1
Post Office Box 192
Route 113
Millsboro, DE 19966
(856-5443)

Chief Clerk
Margaret Ross

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 10
3808 Kirkwood Highway
Wilmington, DE 19808
(571-2496)

Chief Clerk
Caroline F. Pini

Presentence Officer
Hazel Plant

COURT 11
1202 Delaware Street
New Castle, DE 19720
(571-2498)

Chief Clerk
Luann Shivone

COURT 12
1500 East Newport Pike
Newport
Wilmington, DE 19804
(571-2561)

Chief Clerk
Patricia Riley

KENT COUNTY

COURT 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4554)

Chief Clerk
Marjorie Nolette

Presentence Officer
Monika Rash

COURT 8
115 East North Street
Smyrna, DE 19977
(736-4556)

Chief Clerk
Deborah L. Robinson

COURT 16
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4316)

Chief Clerk
Evelyn Webb

SUSSEX COUNTY

COURT 2
Post Office Box 492
Route 1
Lewes, DE 19958
(856-5323)

Chief Clerk
Joanne R. Willey

COURT 3
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5448)

Chief Clerk
Barbara E. Adams

Presentence Officer
Rhyspa McCabe

COURT 4
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(856-5324)

Chief Clerk
Mary Lee Lowe

NEW CASTLE COUNTY

COURT 13
11th Street Entrance
Public Building
Wilmington, DE 19801
(571-2550)

Chief Clerk
Claire Lucas

COURT 14
11th Street Entrance
Public Building
Wilmington, DE 19801
(571-2552)

COURT 15
1810 Philadelphia Pike
Holly Oak
Wilmington, DE 19803
(571-2493)

Chief Clerk
Geraldine McLaughlin

COURT 18
French Street Entrance
Public Building
Wilmington, DE 19801
(571-2552)

Chief Clerk
Edna Conner

KENT COUNTY

SUSSEX COUNTY

COURT 5
Post Office Box 254
248 South Rehoboth Boulevard
Milford, DE 19963
(856-5227)

Chief Clerk
Leah Betts

COURT 17
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5577)

Chief Clerk
Wanda Abbott

COURT 19
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(856-5636)

Chief Clerk
Ida Mae Friedel

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CRIMINAL AND TRAFFIC CASES*
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle County						
Court 9	21	3,634	3,642	13	- 8	- 38.1%
Court 10	578	17,987	18,284	281	-297	- 51.4%
Court 11	709	20,822	21,155	376	-333	- 47.0%
Court 14**	0	0	0	0	0	0.0%
Court 15	0	13,643	13,643	0	0	0.0%
Court 18#	Inactive	1,741	1,741	0	0	0.0%
Kent County						
Court 6	4	7,474	7,475	3	- 1	- 25.0%
Court 7	233	20,491	20,493	231	- 2	- 0.9%
Court 8	28	3,282	3,223	87	+ 59	+210.7%
Sussex County						
Court 1	2	1,987	1,986	3	+ 1	+ 50.0%
Court 2	79	14,975	14,745	309	+230	+291.1%
Court 3	118	13,138	13,173	83	- 35	- 29.7%
Court 4	33	10,448	10,455	26	- 7	- 21.2%
Court 5	26	1,605	1,595	36	+ 10	+ 38.5%
State	1,831	131,227	131,610	1,448	-383	- 20.9%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

#Activated on 10/1/80.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

FILINGS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	122	3.4%	108	3.0%	3,280	90.3%	124	3.4%	3,634	100.0%
Court 10	849	4.7%	3,817	21.2%	12,692	70.6%	629	3.5%	17,987	100.0%
Court 11	555	2.7%	6,426	30.9%	12,225	58.7%	1,616	7.8%	20,822	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	221	1.6%	1,211	8.9%	12,211	89.5%	0	0.0%	13,643	100.0%
Court 18#	0	0.0%	1,527	87.7%	52	3.0%	162	9.3%	1,741	100.0%
Kent County										
Court 6	20	0.3%	595	8.0%	6,733	90.1%	126	1.7%	7,474	100.0%
Court 7	306	1.5%	3,468	16.9%	15,843	77.3%	874	4.3%	20,491	100.0%
Court 8	70	2.1%	303	9.2%	2,793	85.1%	116	3.5%	3,282	100.0%
Sussex County										
Court 1	52	2.6%	228	11.5%	1,692	85.2%	15	0.8%	1,987	100.0%
Court 2	241	1.6%	720	4.8%	13,840	92.4%	174	1.2%	14,975	100.0%
Court 3	90	0.7%	2,837	21.6%	9,984	76.0%	227	1.7%	13,138	100.0%
Court 4	100	1.0%	1,382	13.2%	8,868	84.9%	98	0.9%	10,448	100.0%
Court 5	31	1.9%	167	10.4%	1,373	85.5%	34	2.1%	1,605	100.0%
State	2,657	2.0%	22,789	17.4%	101,586	77.4%	4,195	3.2%	131,227	100.0%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

** Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Activated on 10/1/80.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)

DISPOSITIONS

	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Miscellaneous	TOTALS
New Castle County					
Court 9	149 4.1%	101 2.8%	3,265 89.6%	127 3.5%	3,642 100.0%
Court 10	836 4.6%	3,969 21.7%	12,845 70.3%	634 3.5%	18,284 100.0%
Court 11	573 2.7%	6,576 31.1%	12,417 58.7%	1,589 7.5%	21,155 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	221 1.6%	1,211 8.9%	12,211 89.5%	0 0.0%	13,643 100.0%
Court 18#	0 0.0%	1,527 87.7%	52 3.0%	162 9.3%	1,741 100.0%
Kent County					
Court 6	20 0.3%	590 7.9%	6,735 90.1%	130 1.7%	7,475 100.0%
Court 7	305 1.5%	3,457 16.9%	15,843 77.3%	888 4.3%	20,493 100.0%
Court 8	70 2.2%	284 8.8%	2,756 85.5%	113 3.5%	3,223 100.0%
Sussex County					
Court 1	52 2.6%	222 11.2%	1,697 85.4%	15 0.8%	1,986 100.0%
Court 2	240 1.6%	669 4.5%	13,672 92.7%	164 1.1%	14,745 100.0%
Court 3	80 0.6%	2,798 21.2%	10,075 76.5%	220 1.7%	13,173 100.0%
Court 4	100 1.0%	1,368 13.1%	8,888 85.0%	99 1.0%	10,455 100.0%
Court 5	28 1.8%	164 10.3%	1,366 85.6%	37 2.3%	1,595 100.0%
State	2,674 2.0%	22,936 17.4%	101,822 77.4%	4,178 3.2%	131,610 100.0%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

** Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Activated on 10/1/80.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Miscellaneous	TOTALS	
New Castle County						
Court 9	N.A.	N.A.	N.A.	N.A.	13	100.0%
Court 10	N.A.	N.A.	N.A.	N.A.	281	100.0%
Court 11	N.A.	N.A.	N.A.	N.A.	376	100.0%
Court 14**	0 -	0 -	0 -	0 -	0	-
Court 15	0 -	0 -	0 -	0 -	0	-
Court 18#	0 -	0 -	0 -	0 -	0	-
Kent County						
Court 6	N.A.	N.A.	N.A.	N.A.	3	100.0%
Court 7	N.A.	N.A.	N.A.	N.A.	231	100.0%
Court 8	N.A.	N.A.	N.A.	N.A.	87	100.0%
Sussex County						
Court 1	N.A.	N.A.	N.A.	N.A.	3	100.0%
Court 2	N.A.	N.A.	N.A.	N.A.	309	100.0%
Court 3	N.A.	N.A.	N.A.	N.A.	83	100.0%
Court 4	N.A.	N.A.	N.A.	N.A.	26	100.0%
Court 5	N.A.	N.A.	N.A.	N.A.	36	100.0%
State	N.A.	N.A.	N.A.	N.A.	1,448	100.0%

N.A. = Not Available
* The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.
** Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.
# Activated on 10/1/80.

Source: Chief Magistrate's Office, Justice of the Peace

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Miscellaneous	TOTALS
New Castle County					
Court 9	-27	+ 7	+ 15	- 3	- 8
Court 10	+13	-152	-153	- 5	-297
Court 11	-18	-150	-192	+27	-333
Court 14**	0	0	0	0	0
Court 15	0	0	0	0	0
Court 18#	0	0	0	0	0
Kent County					
Court 6	0	+ 5	- 2	- 4	- 1
Court 7	+ 1	+ 11	0	-14	- 2
Court 8	0	+ 19	+ 37	+ 3	+ 59
Sussex County					
Court 1	0	+ 6	- 5	0	+ 1
Court 2	+ 1	+ 51	+168	+10	+230
Court 3	+10	+ 39	- 91	+ 7	- 35
Court 4	0	+ 14	- 20	- 1	- 7
Court 5	+ 3	+ 3	+ 7	- 3	+ 10
State	-17	-147	-236	+17	-383

* The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.
** Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.
# Activated on 10/1/80.

Source: Chief Magistrate's Office, Justice of the Peace

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CRIMINAL AND TRAFFIC CASES*
TYPES OF DISPOSITIONS

	By Mail-In Fine		By Court Appearance		By Counsel Appearance		TOTALS	
New Castle County								
Court 9	3,108	85.3%	346	9.5%	188	5.2%	3,642	100.0%
Court 10	7,345	40.2%	10,154	55.5%	785	4.3%	18,284	100.0%
Court 11	7,603	35.9%	13,552	64.1%	0	0.0%	21,155	100.0%
Court 14**	0	-	0	-	0	-	0	-
Court 15	7,400	54.2%	6,243	45.8%	0	0.0%	13,643	100.0%
Court 18#	0	-	1,741	100.0%	0	-	1,741	100.0%
Kent County								
Court 6	6,064	81.1%	1,346	18.0%	65	0.9%	7,475	100.0%
Court 7	12,011	58.6%	7,914	38.6%	568	2.8%	20,493	100.0%
Court 8	2,025	62.8%	1,176	36.5%	22	0.7%	3,223	100.0%
Sussex County								
Court 1	1,599	80.5%	387	19.5%	0	0.0%	1,986	100.0%
Court 2	11,274	76.5%	3,471	23.5%	0	0.0%	14,745	100.0%
Court 3	7,255	55.1%	5,918	44.9%	0	0.0%	13,173	100.0%
Court 4	7,176	68.6%	3,279	31.4%	0	0.0%	10,455	100.0%
Court 5	931	58.4%	661	41.4%	3	0.2%	1,595	100.0%
State	73,791	56.1%	56,188	42.7%	1,631	1.2%	131,610	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.
**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.
#Activated on 10/1/80.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1980-1981
CRIMINAL AND TRAFFIC CASES*
WORKLOAD

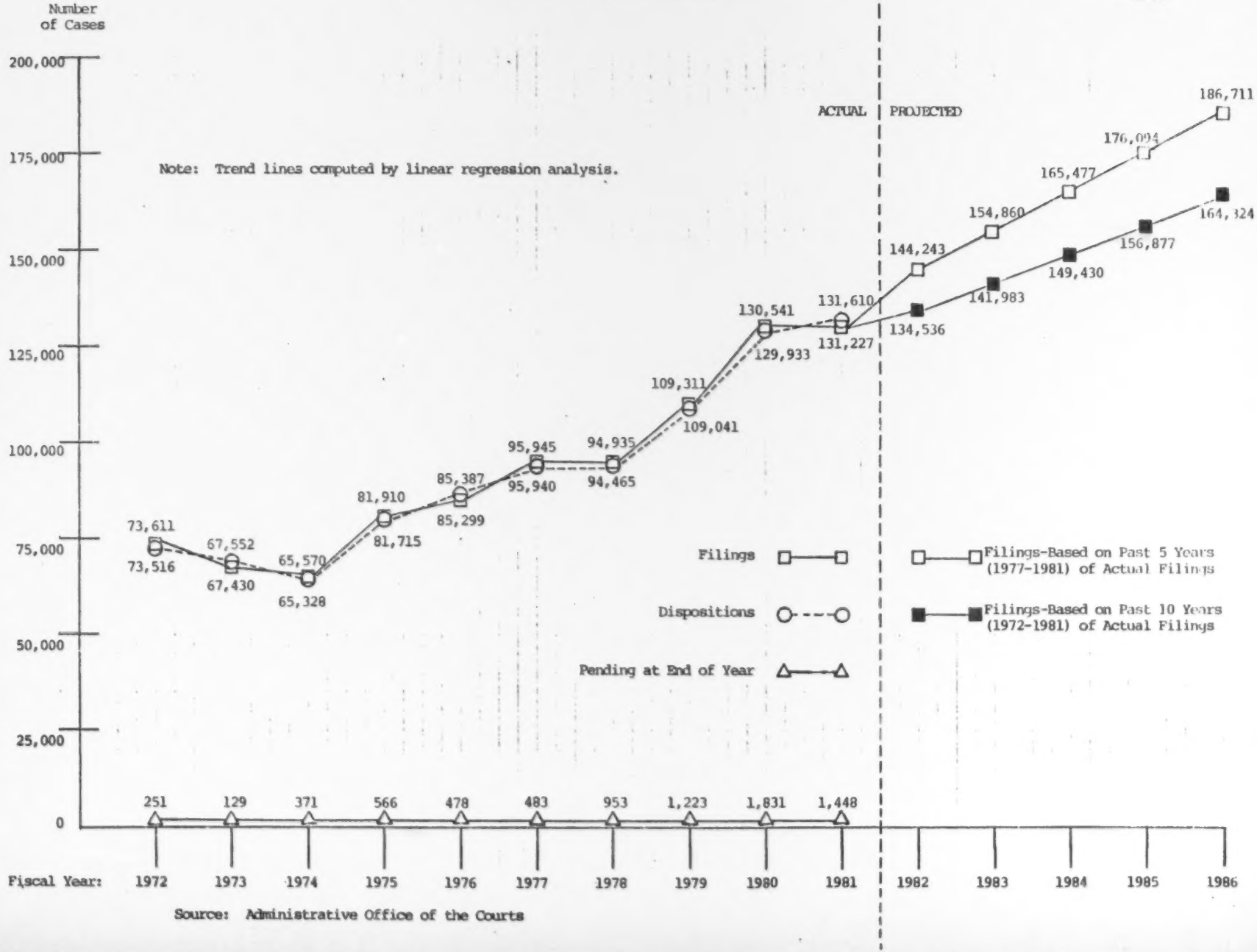
	FILINGS				DISPOSITIONS			
	1980	1981	Change	% Change	1980	1981	Change	% Change
New Castle County								
Court 9	5,319	3,634	-1,685	-31.7%	5,302	3,642	-1,660	-31.3%
Court 10	19,679	17,987	-1,692	- 8.6%	19,473	18,284	-1,189	- 6.1%
Court 11	21,898	20,822	-1,076	- 4.9%	21,657	21,155	- 502	- 2.3%
Court 14**	0	0	0	0.0%	0	0	0	0.0%
Court 15	13,134	13,643	+ 509	+ 3.9%	13,140	13,643	+ 503	+ 3.8%
Court 18#	Inactive	1,741	+1,741	##	Inactive	1,741	+1,741	##
Kent County								
Court 6	5,370	7,474	+2,104	+39.2%	5,368	7,475	+2,107	+39.3%
Court 7	21,272	20,491	- 781	- 3.7%	21,191	20,493	- 698	- 3.3%
Court 8	3,326	3,282	- 44	- 1.3%	3,308	3,223	- 85	- 2.6%
Sussex County								
Court 1	1,544	1,987	+ 443	+28.7%	1,549	1,986	+ 437	+28.2%
Court 2	13,425	14,975	+1,550	+11.5%	13,362	14,745	+1,383	+10.4%
Court 3	14,766	13,138	-1,628	-11.0%	14,784	13,173	-1,611	-10.9%
Court 4	9,885	10,448	+ 563	+ 5.7%	9,890	10,455	+ 565	+ 5.7%
Court 5	923	1,605	+ 682	+73.9%	909	1,595	+ 686	+75.5%
State	130,541	131,227	+ 686	+ 0.5%	129,933	131,610	+1,677	+ 1.3%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.
**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.
#Activated on 10/1/80.
##Infinite increase.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL AND TRAFFIC CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle County						
Court 9	42	1,437	1,448	31	- 11	- 26.2%
Court 10*	4,863	0	5	4,858	- 5	- 0.1%
Court 11*	1,247	0	3	1,244	- 3	- 0.2%
Court 12	1,012	5,052	4,842	1,222	+ 210	+ 20.8%
Court 13	4,345	5,461	4,866	4,940	+ 595	+ 13.7%
Kent County						
Court 6	329	414	734	9	- 320	- 97.3%
Court 8	116	406	441	81	- 35	- 30.2%
Court 16	1,414	3,554	2,631	2,337	+ 923	+ 65.3%
Sussex County						
Court 1	33	456	436	53	+ 20	+ 60.6%
Court 2	563	428	284	707	+ 144	+ 25.6%
Court 4	87	629	625	0**	- 87	-100.0%
Court 5	192	825	903	114	- 78	- 40.6%
Court 17	169	1,190	1,110	249	+ 80	+ 47.3%
Court 19	0	176	181	86**	+ 86	#
State	14,412	20,028	18,509	15,931	+1,519	+ 10.5%

* Criminal court only.
** On 3/18/81, all 91 civil cases pending in Court 4 were transferred to Court 19.
\# Infinite increase.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD BREAKDOWNS

	FILINGS						DISPOSITIONS					
	Complaints		Landlord/Tenant		TOTALS		Complaints		Landlord/Tenant		TOTALS	
New Castle County												
Court 9	141	9.8%	1,296	90.2%	1,437	100.0%	92	6.4%	1,356	93.6%	1,448	100.0%
Court 10*	0	-	0	-	0	-	5	100.0%	0	0.0%	5	100.0%
Court 11*	0	-	0	-	0	-	3	100.0%	0	0.0%	3	100.0%
Court 12	3,068	60.7%	1,984	39.3%	5,052	100.0%	3,158	65.2%	1,684	34.8%	4,842	100.0%
Court 13	4,063	74.4%	1,398	25.6%	5,461	100.0%	3,682	75.7%	1,184	24.3%	4,866	100.0%
Kent County												
Court 6	369	89.1%	45	10.9%	414	100.0%	694	94.6%	40	5.4%	734	100.0%
Court 8	383	94.3%	23	5.7%	406	100.0%	421	95.5%	20	4.5%	441	100.0%
Court 16	2,855	80.3%	699	19.7%	3,554	100.0%	2,030	77.2%	601	22.8%	2,631	100.0%
Sussex County												
Court 1	433	95.0%	23	5.0%	456	100.0%	417	95.6%	19	4.4%	436	100.0%
Court 2	385	90.0%	43	10.0%	428	100.0%	250	88.0%	34	12.0%	284	100.0%
Court 4	547	87.0%	82	13.0%	629	100.0%	543	86.9%	82	13.1%	625	100.0%
Court 5	815	98.8%	10	1.2%	825	100.0%	894	99.0%	9	1.0%	903	100.0%
Court 17	1,134	95.3%	56	4.7%	1,190	100.0%	1,057	95.2%	53	4.8%	1,110	100.0%
Court 19	148	52.5%	28	9.9%	282	100.0%	152	84.0%	29	16.0%	181	100.0%
State	14,341	71.6%	5,687	28.4%	20,028	100.0%	13,398	72.4%	5,111	27.6%	18,509	100.0%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

	PENDING AT END OF YEAR			CHANGE IN PENDING		
	Complaints	Landlord/Tenant	TOTALS	Complaints	Landlord/Tenant	TOTALS
New Castle County						
Court 9	N.A.	N.A.	31 100.0%	+ 49	- 60	- 11
Court 10*	N.A.	N.A.	4,858 100.0%	- 5	0	- 5
Court 11*	N.A.	N.A.	1,244 100.0%	- 3	0	- 3
Court 12	N.A.	N.A.	1,222 100.0%	- 90	+300	+ 210
Court 13	N.A.	N.A.	4,940 100.0%	+381	+214	+ 595
Kent County						
Court 6	N.A.	N.A.	9 100.0%	-325	+ 5	- 320
Court 8	N.A.	N.A.	81 100.0%	- 38	+ 3	- 35
Court 16	N.A.	N.A.	2,337 100.0%	+825	+ 98	+ 923
Sussex County						
Court 1	N.A.	N.A.	53 100.0%	+ 16	+ 4	+ 20
Court 2	N.A.	N.A.	707 100.0%	+135	+ 9	+ 144
Court 4	0 -	0 -	0 -	+ 4**	0**	- 87**
Court 5	N.A.	N.A.	114 100.0%	- 79	+ 1	- 78
Court 17	N.A.	N.A.	249 100.0%	+ 77	+ 3	+ 80
Court 19	N.A.	N.A.	86 100.0%	- 4**	- 1**	+ 86**
State	N.A.	N.A.	15,931 100.0%	+943	+576	+1,519

N.A. = Not Available
*Criminal court only.
**On 3/18/81, all 91 civil cases pending in Court 4 were transferred to Court 19.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1980-1981
CIVIL CASES
WORKLOAD

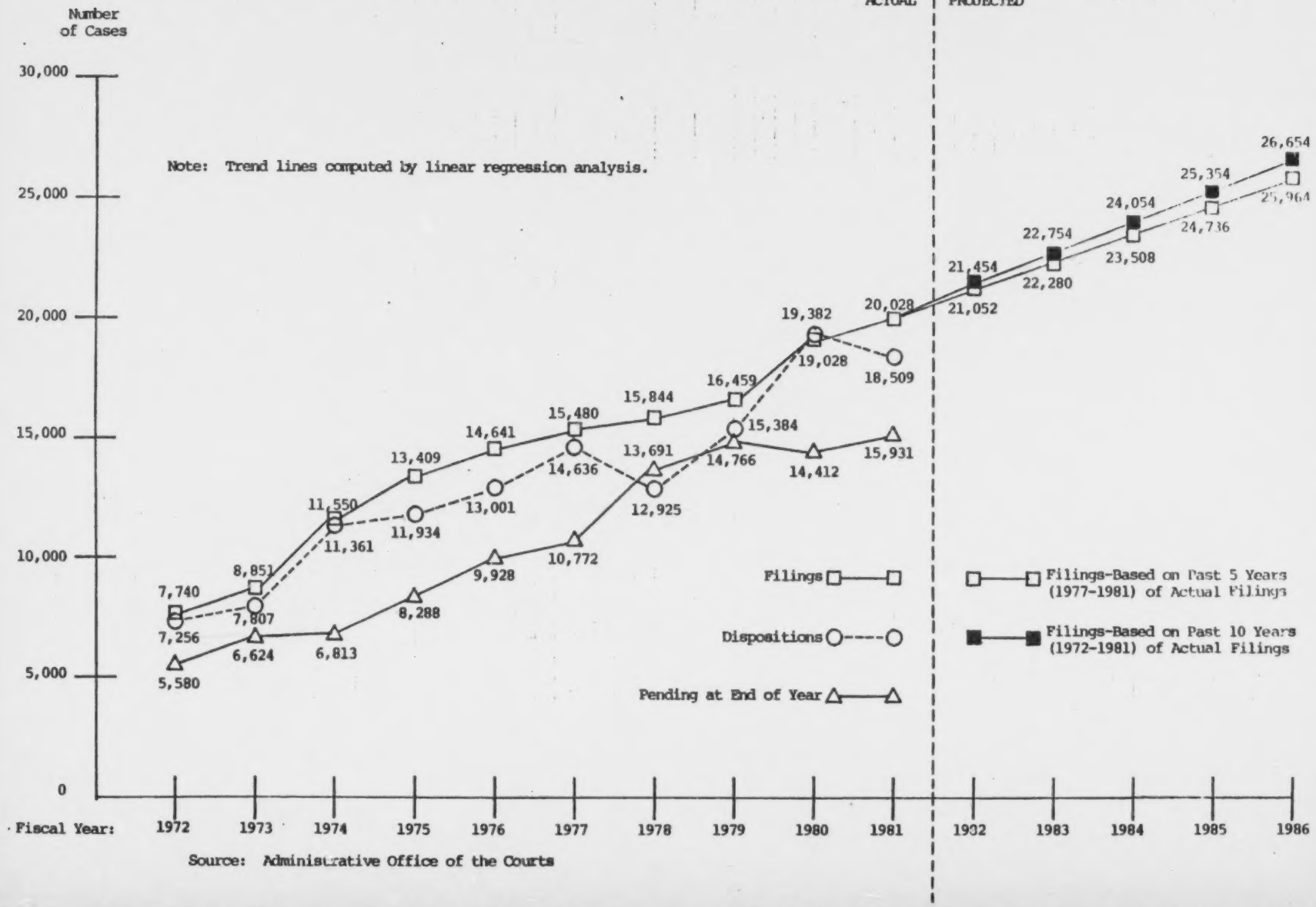
	FILINGS				DISPOSITIONS			
	1980	1981	Change	% Change	1980	1981	Change	% Change
New Castle County								
Court 9	945	1,437	+ 492	+ 52.1%	929	1,448	+ 519	+ 55.9%
Court 10*	0	0	0	0.0%	258	5	- 253	- 98.1%
Court 11*	0	0	0	0.0%	7	3	- 4	- 57.1%
Court 12	5,632	5,052	- 580	- 10.3%	5,314	4,842	- 472	- 8.9%
Court 13	5,349	5,461	+ 112	+ 2.1%	5,797	4,866	- 931	- 16.1%
Court 15*	0	0	0	0.0%	4	0	- 4	-100.0%
Kent County								
Court 6	429	414	- 15	- 3.5%	986	734	- 252	- 25.6%
Court 7**	588	0	- 588	-100.0%	458	0	- 458	-100.0%
Court 8	494	406	- 88	- 17.8%	477	441	- 36	- 7.5%
Court 16#	1,993	3,554	+1,561	+ 78.3%	1,737	2,631	+ 894	+ 51.5%
Sussex County								
Court 1	295	456	+ 161	+ 54.6%	292	436	+ 144	+ 49.3%
Court 2	445	428	- 17	- 3.8%	317	284	- 33	- 10.4%
Court 3##	623	0	- 623	-100.0%	626	0	- 626	-100.0%
Court 4¶	908	629	- 279	- 30.7%	888	625	- 263	- 29.6%
Court 5	771	825	+ 54	+ 7.0%	722	903	+ 181	+ 25.1%
Court 17¶¶	556	1,190	+ 634	+114.0%	570	1,110	+ 540	+ 94.7%
Court 19§	Inactive	176	+ 176	§§	Inactive	181	+ 181	§§
State	19,028	20,028	+1,000	+ 5.3%	19,382	18,509	- 873	- 4.5%

*Criminal court only.
**Criminal court only as of 10/1/79.
#Activated on 10/1/79.
##Criminal court only as of 12/17/79.
¶Criminal court only as of 3/18/81.
¶¶Activated on 12/17/79.
§Activated on 3/18/81.
§§Infinite increase.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1981
RANKINGS IN ORDER OF TOTAL CASES FILED

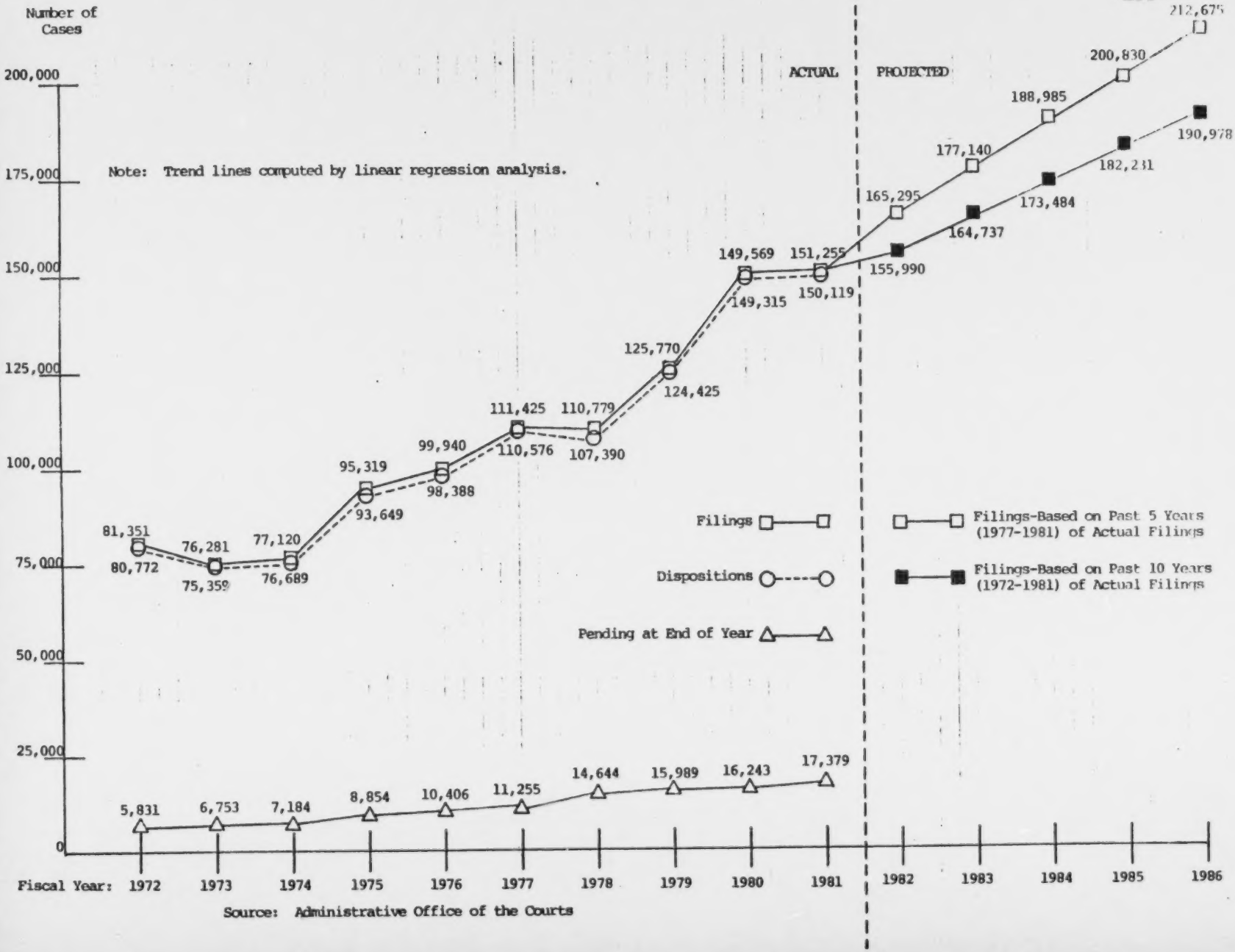
Rank	Court	Total Number of Cases Filed*	Percentage of Total	FY 1980 Rank
1	Court 11	20,822	13.8%	1
2	Court 7	20,491	13.5%	2
3	Court 10	17,987	11.9%	3
4	Court 2	15,421	10.2%	5
5	Court 15	13,643	9.0%	6
6	Court 3	13,138	8.7%	4
7	Court 4	11,077	7.3%	7
8	Court 6	7,888	5.2%	9
9	Court 13	5,461	3.6%	11
10	Court 9	5,071	3.4%	8
11	Court 12	5,052	3.3%	10
12	Court 8	3,688	2.4%	12
13	Court 16	3,554	2.3%	13
14	Court 1	2,443	1.6%	14
15	Court 5	2,430	1.6%	15
16	Court 18**	1,741	1.2%	-
17	Court 17	1,190	0.8%	16
18	Court 19#	176	0.1%	-
19	Court 14##	0	0.0%	17
	State	151,273	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.
**Activated on 10/1/80.
#Activated on 3/18/81.
##Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Source: Administrative Office of the Courts

Alderman's Courts

ALDERMAN'S COURTS

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction within their own town limits only. There are 13 Alderman's Courts currently active with the Alderman's Court in Delmar closing at the end of FY 1980. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court again varies with the town charter (which is approved by the State Legislature). Many courts handle only traffic and parking violations; only 6 handle as many as 100 criminal cases annually. Harrington's court handles only civil cases. Appeals are taken de novo to Superior Court within 15 days of the trial.

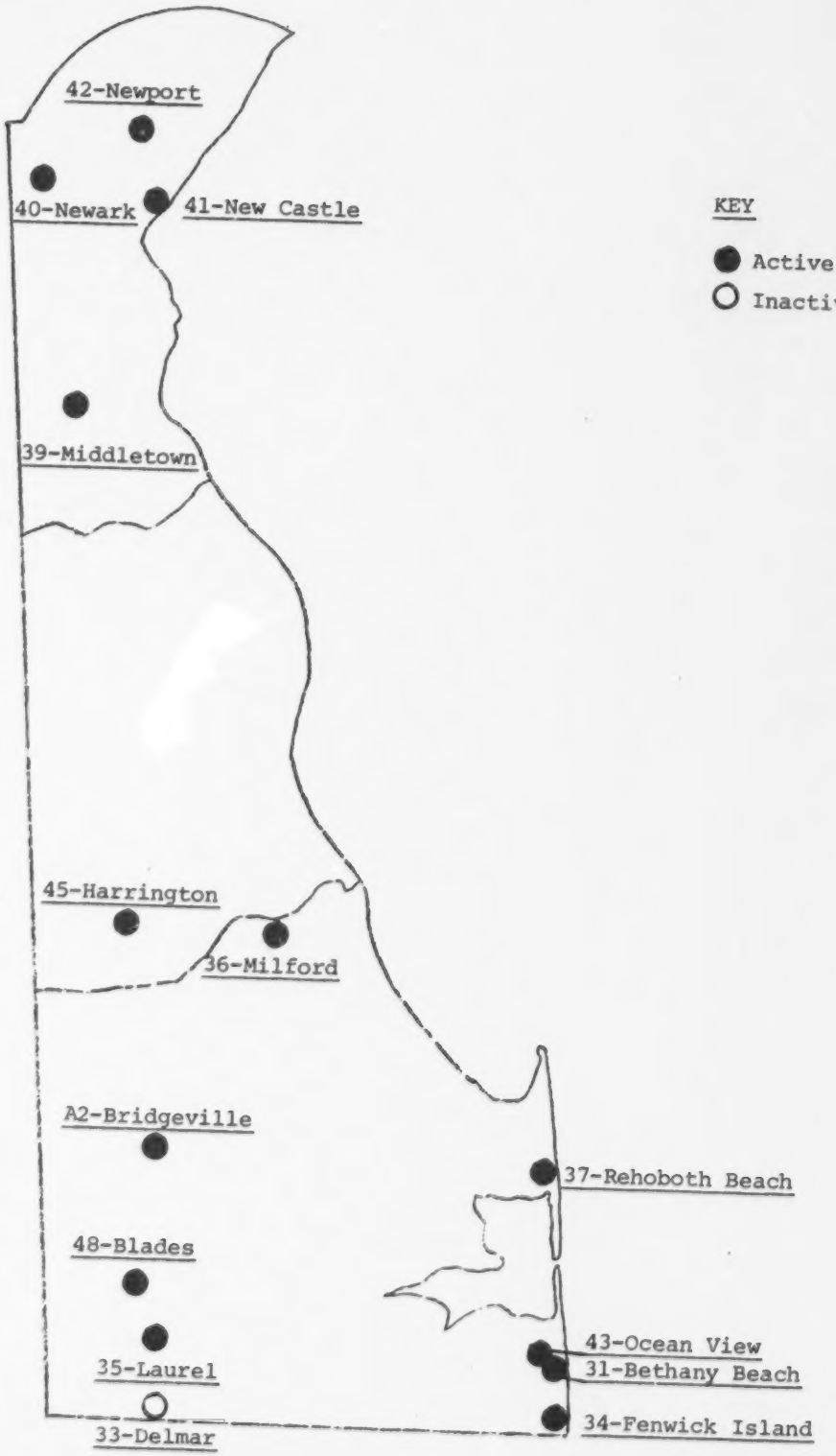
Aldermen

The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers; others choose ordinary citizens. A few aldermen serve full-time, but most are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

FY 1981 was the fifth year during which complete workload statistics were collected. 6 of the 13 active courts experienced workload increases while 7 of the courts declined in workload. Overall, the total number of cases heard by aldermen in Delaware rose by 493, a 2.9% increase, to an all-time high of 17,702 cases. Most Sussex County courts continue to have extremely seasonal fluctuations in their caseloads.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

Court	Location	Hours Open (As of 1/29/82)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 39	Middletown	Tu 5-6PM	1	Criminal & Traffic
Court 40	Newark	M-Th 4:30PM until all cases are disposed of; W 8:30AM until all cases are disposed of	Varies	Criminal & Traffic
Court 41	New Castle	Tu 7:30PM until all cases are disposed of	Varies	Traffic
Court 42	Newport	M-F 1:30-5:30PM	20	Traffic
Kent County				
Court 45	Harrington	No Set Time Schedule	Varies	Civil
Sussex County				
Court 31	Bethany Beach	M,W,Sat 8:30-9:30AM; F 7-7:50PM	4	Criminal & Traffic
Court 48	Blades	W 1-4PM & 7-9PM; Sat 1-4PM	8	Traffic
Court A2	Bridgeville	M,W,F 9AM-12:30PM; Th 9AM-4:30PM	18	Criminal & Traffic
Court 34	Fenwick Island	On call 24 hours	Varies	Traffic & Civil
Court 35	Laurel	Tu,F 4:30-9:30PM	10	Criminal & Traffic
Court 36	Milford	M 4-6PM; Tu 4PM-12 Midnight; W-F 1-8AM & 4PM-12 Midnight; Sat on call 24 hours; Sun 1-8AM	66	Criminal, Traffic, & Civil
Court 43	Ocean View	M-W 8AM-3PM	21	Criminal, Traffic, & Civil
Court 37	Rehoboth Beach	M,W-F 4PM-6PM; on call daily	8	Criminal & Traffic

ALDERMEN

NEW CASTLE COUNTY

Middletown
Hon. David D. Chillas, Alderman

Newark
Hon. Vance A. Funk, III, Chief Alderman of Delaware
Hon. Richard E. Franta, Deputy

New Castle
Hon. John F. Klingmeyer, Mayor

Newport
Hon. Joseph A. Palermo, Alderman

KENT COUNTY

Harrington
Hon. Anna R. Hampton, Alderman

SUSSEX COUNTY

Bethany Beach
Hon. J. Joseph Tansey, Alderman
Hon. Harold Britton Barber, Assistant

Blades
Hon. Harvey W. Lee, Alderman

Bridgeville
Hon. Margaret I. Thompson, Alderman

Fenwick Island
Hon. Richard A. Barton, Deputy Chief Alderman of Delaware
Hon. Alfred D. Spinner, Alternate
Hon. Vincent Lobo, Deputy

Laurel
Hon. Edward Walmsley, Jr., Alderman

Milford
Hon. Ralph F. Henderlong, Alderman

Ocean View
Hon. Marilyn F. Denny, Alderman

Rehoboth Beach
Hon. Lynn K. Goff, Alderman

SUPPORT PERSONNEL

NEW CASTLE COUNTY

MIDDLETOWN
Alderman's Court 39
P.O. Box 227
216 North Broad Street
Middletown, DE 19709
(834-5015)

NEWARK
Alderman's Court 40
220 Elkton Road
P.O. Box 390
Newark, DE 19711
(366-7028, 366-7029)

Clerk of the Court
Margaret B. Nelson

Clerk Typists
Janet L. Duncan
Kathleen R. Lloyd
Betty Hales

NEW CASTLE
Mayor's Court
220 Delaware Street
New Castle, DE 19720
(328-4804)

Court Clerk
Paula DeMedio

KENT COUNTY

HARRINGTON
Alderman's Court 45
City Hall
103 Fleming Street
Harrington, DE 19952
(398-3772, 398-3530)

SUSSEX COUNTY

BETHANY BEACH
Alderman's Court 31
P.O. Box 109
Bethany Beach, DE 19930
(539-8011)

BLADES
Alderman's Court 48
P.O. Box 691
Blades, DE 19973
(629-7329, 629-7366)

BRIDGEVILLE
Alderman's Court A2
101 North Main Street
Bridgeville, DE 19933
(337-7371)

FENWICK ISLAND
Alderman's Court 34
Town Hall
Fenwick Island, DE 19944
(539-3011)

Court Clerk
Mary Ellen Derickson

LAUREL
Alderman's Court 35
P.O. Box 210
Laurel, DE 19956
(875-2855)

Court Clerk
Linda Walmsley

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEWPORT
Alderman's Court 42
205 North Marshall Street
P.O. Box 3035
Newport
Wilmington, DE 19804
(998-2707)

Court Clerk
Gwen Cook

KENT COUNTY

SUSSEX COUNTY

MILFORD
Alderman's Court 36
2 South Washington Street
Milford, DE 19963
(422-7782)

OCEAN VIEW
Alderman's Court 43
Oakwood Avenue
Ocean View, DE 19970
(539-9797)

REHOBOTH BEACH
Alderman's Court 37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURTS

FISCAL YEAR 1981
TOTAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle County						
Middletown	29	671	678	22	- 7	- 24.1%
Newark	903	6,391	6,253	1,041	+138	+ 15.3%
New Castle	6	343	332	17	+ 11	+183.3%
Newport	317	2,134	2,271	180	-137	- 43.2%
Kent County						
Harrington	80	558	580	58	- 22	- 27.5%
Sussex County						
Bethany Beach	123	1,291	1,240	174	+ 51	+ 41.5%
Blades**	8	60	60	8	0	0.0%
Bridgeville	0	1,371	1,371	0	0	0.0%
Fenwick Island	0	1,337	1,337	0	0	0.0%
Laurel	73	756	763	66	- 7	- 9.6%
Milford#	0	1,137	1,137	0	0	0.0%
Ocean View	0	651	651	0	0	0.0%
Rehoboth Beach	33	1,100	1,120	13	- 20	- 60.6%
TOTALS	1,572	17,800	17,793	1,579	+ 7	+ 0.4%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 cases.
** Court closed 3/1/81 to 6/30/81.
# Court closed 5/1/81 to 6/30/81.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1981
CRIMINAL CASES*
WORKLOAD SUMMARY

	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle County						
Middletown	10	96	106	0	-10	-100.0%
Newark	365	962	910	417	+52	+ 14.2%
New Castle	0	0	0	0	0	0.0%
Newport	0	0	0	0	0	0.0%
Kent County						
Harrington	0	0	0	0	0	0.0%
Sussex County						
Bethany Beach	26**	181	161	46	+20	+ 76.9%
Blades#	0	0	0	0	0	0.0%
Bridgeville	0	22	22	0	0	0.0%
Fenwick Island	0	0	0	0	0	0.0%
Laurel	26	250	235	41	+15	+ 57.7%
Milford##	0	232	232	0	0	0.0%
Ocean View	0	3	3	0	0	0.0%
Rehoboth Beach	23	N.A.	272	N.A.	N.A.	N.A.
TOTALS	450	N.A.	1,941	N.A.	N.A.	N.A.

N.A. = Not Available

* The unit of count in criminal cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

** Adjusted from 1980 Annual Report

\# Court closed 3/1/81 to 6/30/81.

Court closed 5/1/81 to 6/30/81.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1981
TRAFFIC CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle County						
Middletown	19	575	572	22	+ 3	+ 15.8%
Newark	538	5,429	5,343	624	+ 86	+ 16.0%
New Castle	6	343	332	17	+ 11	+183.3%
Newport	317	2,134	2,271	180	-137	- 43.2%
Kent County						
Harrington	0	0	0	0	0	0.0%
Sussex County						
Bethany Beach	97	1,110	1,079	128	+ 31	+ 32.0%
Blades**	8	60	60	8	0	0.0%
Bridgeville	0	1,349	1,349	0	0	0.0%
Fenwick Island	0	1,113	1,113	0	0	0.0%
Laurel	47	506	528	25	- 22	- 46.8%
Milford#	0	755	755	0	0	0.0%
Ocean View	0	639	639	0	0	0.0%
Rehoboth Beach	10	N.A.	848	N.A.	N.A.	N.A.
TOTALS	1,042	N.A.	14,889	N.A.	N.A.	N.A.

N.A. = Not Available
* The unit of count in traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
** Court closed 3/1/81 to 6/30/81.
# Court closed 5/1/81 to 6/30/81.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1981
CIVIL CASES
WORKLOAD SUMMARY

Court	Pending 6/30/80	Filings	Dispositions	Pending 6/30/81	Change In Pending	% Change In Pending
New Castle County						
Middletown	0	0	0	0	0	0.0%
Newark	0	0	0	0	0	0.0%
New Castle	0	0	0	0	0	0.0%
Newport	0	0	0	0	0	0.0%
Kent County						
Harrington	80	558	580	58	-22	-27.5%
Sussex County						
Bethany Beach	0*	0	0	0	0	0.0%
Blades**	0	0	0	0	0	0.0%
Bridgeville	0	0	0	0	0	0.0%
Fenwick Island	0	224	224	0	0	0.0%
Laurel	0	0	0	0	0	0.0%
Milford#	0	150	150	0	0	0.0%
Ocean View	0	9	9	0	0	0.0%
Rehoboth Beach	0	0	0	0	0	0.0%
TOTALS	80	941	963	58	-22	-27.5%

* Adjusted from 1980 Annual Report.
** Court closed 3/1/81 to 6/30/81.
\# Court closed 5/1/81 to 6/30/81.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1980-1981
TOTAL CASES
WORKLOAD

Court	Number of Dispositions* 1980	1981	Change	% Change
New Castle County				
Middletown	827	678	-149	- 18.0%
Newark	6,039	6,253	+214	+ 3.5%
New Castle	392	332	- 60	- 15.3%
Newport	2,588	2,271	-317	- 12.2%
Kent County				
Harrington	170	580	+410	+241.2%
Sussex County				
Bethany Beach	1,059	1,240	+181	+ 17.1%
Blades	335	60**	-275	- 82.1%
Bridgeville	676#	1,371	+695	+102.8%
Delmar	120	Inactive	-120	-100.0%
Fenwick Island	1,050	1,337	+287	+ 27.3%
Laurel	913	763	-150	- 16.4%
Milford	980	1,137##	+157	+ 16.0%
Ocean View	759	651	-108	- 14.2%
Rehoboth Beach	1,301	1,120	-181	- 13.9%
TOTALS	17,209	17,793	+584	+ 3.4%

* The unit of count in criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
** Court closed 3/1/81 to 6/30/81.
\# Court closed 5/1/80 to 6/23/80.
Court closed 5/1/81 to 6/30/81.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1981
RANKINGS IN ORDER OF TOTAL CASES FILED

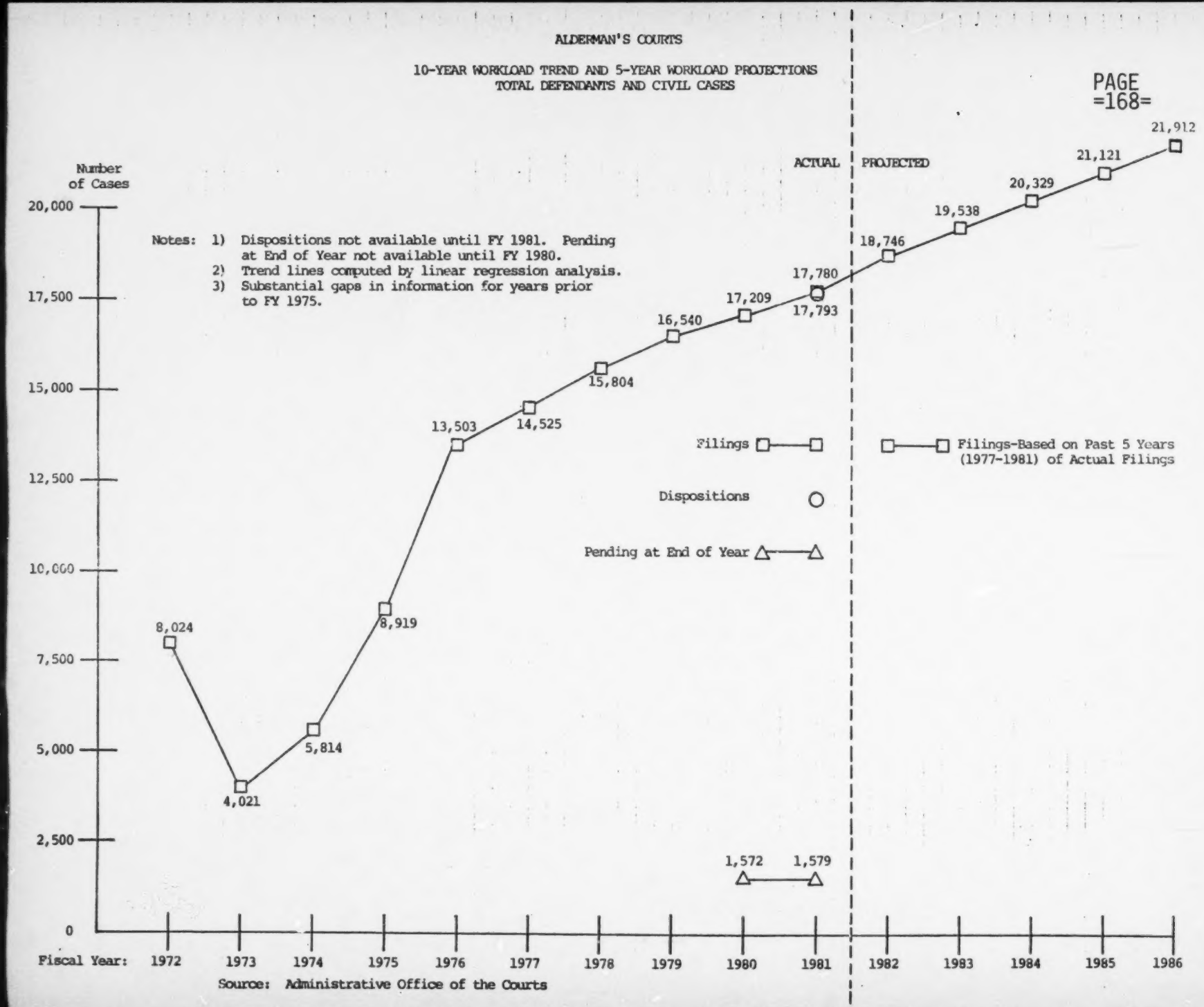
Rank		Total Number of Filings*	Percentage of Total	FY 1980 Rank
1	Newark	6,391	35.9%	1
2	Newport	2,134	12.0%	2
3	Bridgeville	1,371	7.7%	10
4	Fenwick Island	1,337	7.5%	5
5	Bethany Beach	1,291	7.3%	4
6	Milford**	1,137	6.4%	6
7	Rehoboth Beach	1,100	6.2%	3
8	Laurel	756	4.3%	7
9	Middletown	671	3.8%	8
10	Ocean View	651	3.7%	9
11	Harrington	558	3.1%	13
12	New Castle	343	1.9%	11
13	Blades#	60	0.3%	12
	TOTALS	17,780	100.0%	

* The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 cases.
** Court closed 5/1/81 to 6/30/81.
\# Court closed 3/1/81 to 6/30/81.

Source: Alderman's Courts and Administrative Office of the Courts

ALDERMAN'S COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL DEFENDANTS AND CIVIL CASES



Source: Administrative Office of the Courts

Violent Crimes Compensation Board

Legal Authorization

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

Purpose

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes, and the family and dependents of those victims". Thus, compensation to help meet the added burdens which sometimes face the innocent victims of certain crimes may be offered by the Board for as much as $10,000. The Board receives a 10% penalty assessment which by law is added onto every fine, penalty, and forfeiture. These monies are deposited into the "Victim's Compensation Fund" for use when needed.

Geographic Organization

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests are held in either Wilmington or Dover, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

Personnel

The Violent Crimes Compensation Board consists of five members: a chairman, a vice-chairman, and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years as long as no more than two Board members have their terms expire at the end of any given year. The Board must be composed of three members of one of the major political parties and two members from the other major political party. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of five at one time. In addition to the Executive Secretary, the Board currently employs an administrative assistant, two claim investigators, and a secretary.

Caseload Trend

A total of $298,534.92 was awarded for payment of expenditures to victims, attorneys, and medical opinions. This was the largest amount awarded in any fiscal year to date by the Board for such payments, an increase of 18.5% from the $251,873.36 awarded in fiscal year 1980. Over the entire history of the Board, approximately two-thirds of all expenditures for any given fiscal year were for victims, attorneys, and medical opinions while the remaining one-third was for administrative costs. Through the end of FY 1981, the Board has awarded approximately $1,230,800.00 for victims, attorneys, and medical opinions.

VIOLENT CRIMES COMPENSATION BOARD
Suite 500
800 Delaware Avenue
Wilmington, Delaware 19801
(571-3030)

BOARD MEMBERS

Clifford B. Hearn, Jr., Chairman (D, 2/1/77)
Stephen L. Manista, Vice-Chairman (R, 1/20/85)
Leah W. Betts (D, 8/6/83)
Robert H. George (R, 8/6/83)
Edward S. Stansky (D, 6/30/84)

SUPPORT PERSONNEL

Executive Secretary
Oakley M. Banning, Jr.

Administrative Assistant
Ann L. DelNegro

Secretary
Barbara E. Weiss

Claim Investigators
Marcia A. Jenkins
Howard P. Wilson

Foster Care Review Board

FOSTER CARE REVIEW BOARD

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as an independent monitoring system responsible for identifying and periodically reviewing children placed in foster care. Reviews of individual children in placement are conducted to ensure that continuing efforts are being made to obtain permanent homes for these children. The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly and the Governor upon the effectiveness of its activities and must submit recommendations regarding the policies and procedures of foster care placement agencies.

Geographic Organization

The Board is responsible for reviewing the placements of children throughout the State of Delaware and actual review sessions are conducted in various locations across the State. The Administrative Office of the Board is located in Wilmington.

Personnel

21 citizen volunteers compose the Foster Care Review Board. Members are appointed by the Governor and serve either a two or three year term. Of the 21 Board members, not more than 11 may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman. The Board hires an Administrative Coordinator who may in turn employ additional support personnel.

Caseload Trend

The Board's enacting legislation called for the first reviewing of foster placements to begin in July of 1980. In preparation for this start-up date, the Board identified the foster child population and selected a representative sample for review. 340 reviews of the Board's allotted 400 were scheduled. A 3-month start-up period of below maximum scheduling accounts for the reduced number of scheduled reviews. During the Board's second full program year, a minimum of 385 reviews will be scheduled.

Documented first year exits show the remarkable initial success of the Board's review program. Though the original sample of children selected for review made up only 27% of the State's foster child population, sampled children accounted for 40% of the documented exits from foster care. 10.4% of the unsampled children exiting from care were placed for adoption while 20.2% of the sampled children exited from foster care for this reason.

Return to parents for both sampled and unsampled children ran above 45% (45.5% and 48.3% respectively) for all children exiting as the reason for leaving foster care. For the sampled children, however, the ratio of whites to other races returning home was almost one to one. Among the unsampled children, the ratio was nearly two to one.

An analysis of the status of all children in foster care is unavailable due to continued discrepancies in the Quarterly Reports submitted by the Division of Social Services.

FOSTER CARE REVIEW BOARD
7th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-6000)

BOARD MEMBERS

Shirley Ann Cupery, Chairman (D)

Barbara Blair (R, 10/31/84)
Linda Burris (R, 10/31/84)
Veronica Cannon (I, 10/31/84)
Lillian F. Cobin (D, 10/31/84)
Marcella Copes (I, 10/31/83)
Ivy Davis (D, 10/31/84)
Gail Denney (R, 10/31/83)
Jane Erisman (R, 10/31/82)
Louise H. Gilliam (R, 10/31/82)
Barbara B. Green (R, 10/31/82)
Annie B. King (R, 10/31/83)
Carolyn Susan Kline (I, 10/31/82)
Bonita Maull (R, 10/31/83)
Nancy L. McKenna (D, 10/31/84)
Kathryn T. Montgomery (D, 10/31/82)
Warren A. Rhodes (D, 10/31/82)
Henry H. Stroud (I, 10/31/83)
Jane L. Willis (R, 10/31/84)
Vacant
Vacant

SUPPORT PERSONNEL

Administrative Coordinator
Wayne G. Spaulding

Staff Assistant
Barbara A. Brown

Administrative Assistant
Charlotte J. Harris

Conferences & Councils

COURT ON THE JUDICIARY

Article IV, Section 37 of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Associate Justices of the Supreme Court, the Chancellor, and the President Judge of Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of these duties.

No censure, removal, or retirement can be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:
(a) summon witnesses to appear and testify under oath and to compel production of other evidence, and
(b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 35.

Duties

The Judicial Conference studies the judicial business of the courts with a view towards improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the Canons of Judicial Ethics, and holds symposia of the Bench and Bar.

Membership

The membership of the Conference includes the judges of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Scheduled meetings of the Conference are held on the first Wednesdays of December and June.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, § 2001-2008.

Duties

The Council is charged with the continuous study of the administration of justice in the State, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts, and/or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Minority Leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court
Hon. William Marvel, Chancellor, Court of Chancery
Hon. Albert J. Stiftel, President Judge, Superior Court
Hon. Charles L. Hebner, Speaker of the House of Representatives
Hon. Richard S. Cordrey, President Pro Tempore of the Senate
Hon. Orlando J. George, Jr., Minority Leader, House of Representatives
Hon. Andrew G. Knox, Minority Leader, Senate
Hon. Richard S. Gebelein, Attorney General
E. A. Trabant, President, University of Delaware
Bruce M. Stargatt, Esq., President, Delaware Bar Association
Douglas A. Van Sant, Public Member
Kenneth N. Meyer, Public Member
Pearl Herlihy, Public Member
Robert D. Mitchell, Public Member
Lindsey Greenplate, Public Member

Projects Supported by Federal Funds

PROJECTS SUPPORTED BY FEDERAL FUNDS

During 1981, Delaware courts received continued federal support in the effort to improve the criminal justice system from the Delaware Criminal Justice Planning Commission (DCJPC), which is the state criminal justice planning agency that administers the Law Enforcement Assistance Administration (LEAA) block grant allocation. LEAA block grant funding has been abolished and the Delaware courts no longer receive grant assistance.

LEAA block grant funds were expended for the following purposes:

1. To provide computer terminals for the courts. LEAA funds enabled the courts to rent 5 computer terminals for the courts, 3 in Superior Court, 1 in Family Court, and 1 in the Justice of the Peace Courts. The terminals enabled these courts to access computerized criminal histories to aid the courts in bail and sentencing decisions. The criminal histories are housed in the state's main Central Data Processing computer in Dover. The terminals in Superior Court and the JP Courts were also used to perform the functions of the Courts' own information system. All grants for computer terminals ended on 6/30/81.

2. To provide planning assistance to the Administrative Office of the Courts. The Administrative Office of the Courts received funds to employ a professional planning staff. A research assistant and a secretary were employed with these funds. They prepared statistics and performed other administrative and planning functions as directed by the Administrative Office of the Courts. This grant ended on 6/30/81.

3. To expand the Superior Court Case Scheduling Office. This subgrant funded a Data Entry/Calendaring Clerk to assist the Case Scheduling Office in Superior Court, New Castle County, particularly in entering data for the computerized information system. This grant ended on 10/15/81.

4. To establish an Arbitration Hearing Unit. This subgrant aided Family Court in continuing an Arbitration Unit. Federal funds added a hearing officer, 2 interview officers, and a clerk typist to 3 state-funded personnel (a hearing officer and 2 interview officers). The Arbitration Unit sought to provide an arbitration mechanism for those first and second time offender juveniles and adults charged with misdemeanors, in order to divert defendants from further court involvement while still satisfying complainants and victims. The grant ended on 9/30/80.

5. To provide new recording equipment for Family Court. This 2nd-year grant of $16,500 ran from 9/1/80 through 6/30/81 and enabled Family Court to replace the balance of its outmoded electronic recording system. Grant funds purchased 4 recording units, 3 transcription machines, and a high-speed duplicator.

6. To staff the judiciary's computer center. This subgrant funded a Data Processing Manager and an additional computer operator. The Data Processing Manager provided the proper level of supervision and management to the computer center and the court computerization project. The second computer operator enabled the computer center to operate two shifts per day on weekdays. This grant ended on 12/15/80.

LEAA also awarded three discretionary grants to the Delaware courts directly from Washington. These programs were as follows:

7. Comprehensive Data Systems (CDS)
A part-time systems analyst was assigned to work with the Courts in the development of the courts' module of the overall criminal justice information system. The analyst designed the Court of Common Pleas' portion of the system before the grant terminated on 12/15/80.

8. State Judicial Information System (SJIS), Phase II
This LEAA continuation grant of $161,000 was awarded to the Administrative Office of the Courts on 8/9/79 and ran till 5/8/81. The funding was provided to allow the AOC to hire a team of contract programmers to do data base design, program specifications, programming, and documentation for Superior Court, Family Court, and Court of Common Pleas criminal and juvenile delinquency cases. All tasks were completed by grant's end.

9. Restitution Project
The Family Court "Restitution by Juvenile Offenders Project" was a two-year LEAA grant for over $800,000. It became operational on 3/1/79 and ended on 6/30/81. In this project, adjudicated juvenile offenders make monetary payment to the victim, provide direct service to the victim, or engage in community service. Each project juvenile is under the supervision of a project counselor in the court.

Legislation

LEGISLATION

The following court-related legislation was enacted during 1981 by the Delaware General Assembly.

SENATE

Senate Bill 2
Sponsors, Senators Charles E. Hughes and Angelo T. Citro
Signed by the Governor 5/26/81

This bill reclassifies tampering with a witness from a Class A misdemeanor to a Class D felony and clarifies the definitions thereof.

Senate Bill 101
Sponsor, Senator Richard S. Cordrey
Signed by the Governor 6/30/81

This bill allows Family Court to accept voluntary assignment of wages from a defendant who violates a support order in lieu of a wage attachment. Support checks may be payable as directed by the Court rather than only to Family Court as per the previous statute. The bill also makes employers who have received proper notice of wage attachment orders liable for payment if they fail to comply with the terms of the wage assignment.

Senate Bill 172
Sponsors, Senators Richard S. Cordrey, Thurman G. Adams, Jr., and W. Lee Littleton and Representatives John M. Burris, Harry E. Derrickson, B. Bradford Barnes, Evelyn K. Fallon, Carrol W. Cordrey, and Charles P. West
Signed by the Governor 7/9/81

This bill removes from the Superior Court Judges the authority to set salaries for Chief Deputy Prothonotaries and places that authority in the County Councils or Levy Court.

Senate Bill 208
Sponsors, Senator Harris B. McDowell, III, and Representative Thomas E. Brady, Jr.
Enacted 7/7/81

This bill is the second leg of a constitutional amendment which allows retired Superior Court Judges, Chancellors and Vice-Chancellors of the Court of Chancery, and Supreme Court Justices to temporarily return to the bench under certain conditions, upon designation of the Chief Justice.

Senate Bill 223
Sponsor, Senator Thurman G. Adams, Jr.
Signed by the Governor 7/9/81

This bill allows the Sussex County Council, rather than the state code, to establish fees for the Register of Wills in Sussex County.

Senate Bill 238
Sponsors, Senators Thomas B. Sharp, Harris B. McDowell, III, Jacob W. Zimmerman, James T. Vaughn, Sr., Charles E. Hughes, and Angelo T. Citro and Representative Robert W. Riddagh
Signed by the Governor 6/30/81

This bill clarifies the definition of "family" in the Family Court Act so as to indicate clearly which offenses are under the jurisdiction of Family Court.

Senate Bill 241
Sponsors, Senators Thomas B. Sharp, Harris B. McDowell, III, Jacob W. Zimmerman, James T. Vaughn, Sr., Charles E. Hughes, and Angelo T. Citro and Representative Robert W. Riddagh
Signed by the Governor 6/30/81

This bill requires that a preliminary injunction shall be issued, upon the filing of a divorce petition, against both parties to the action, enjoining them from transferring or disposing of any property (except for necessities), disturbing the other party, removing children from Delaware, or incurring any debt (again, except for necessities).

Senate Bill 246
Sponsors, Senators Thomas B. Sharp, Harris B. McDowell, III, Jacob W. Zimmerman, James T. Vaughn, Sr., Charles E. Hughes, and Angelo T. Citro and Representative Robert W. Riddagh
Signed by the Governor 6/30/81

This law allows Family Court to appoint bailiffs who have the power of peace officers, including arrest powers, to deal with unruly individuals in court. Superior Court bailiffs already have such powers.

Senate Bill 247
Sponsors, Senators Thomas B. Sharp, Harris B. McDowell, III, Jacob W. Zimmerman, James T. Vaughn, Sr., Charles E. Hughes, and Angelo T. Citro and Representative Robert W. Riddagh
Signed by the Governor 7/9/81

This bill gives Family Court concurrent authority with the Court of Chancery to appoint guardians over minors under 18 years of age.

Senate Bill 270
Sponsors, Senators Thomas B. Sharp, Angelo T. Citro, Harris B. McDowell, III, Jacob W. Zimmerman, James T. Vaughn, Sr., and Charles E. Hughes and Representatives William A. Oberle, Jr., Michael J. Harrington, Richard C. Cathcart, Jeffrey G. Mack, Terry R. Spence, Ruth Ann Minner, and Casimir S. Jonkiert
Signed by the Governor 7/9/81

This bill establishes the new offenses of drug trafficking and provides enhanced penalties for them.

Senate Bill 283
Sponsors, Senators Thomas B. Sharp, Harris B. McDowell, III, Jacob W. Zimmerman, James T. Vaughn, Sr., Charles E. Hughes, and Angelo T. Citro and Representative Robert W. Riddagh
Signed by the Governor 7/7/81

This bill allows a party in any civil action in Family Court to obtain personal jurisdiction over another party by personal service, mail, leaving summons at the party's residence, or in any manner prescribed by the Court.

Senate Bill 291
Sponsors, Senators James T. Vaughn, Sr., Thomas B. Sharp, Nancy W. Cook, Charles E. Hughes, and Angelo T. Citro and Representatives Robert W. Riddagh, Terry R. Spence, Jeffrey G. Mack, Casimir S. Jonkiert, and Ruth Ann Minner
Signed by the Governor 7/13/81

This bill requires that any offender convicted of stealing or destroying property shall be ordered by the Court to make restitution, unless the reason is stated on the record. The Court determines the nature and amount of restitution based on a loss statement prepared by the police, or by the victim if there is no police involvement. If an offender is ordered to pay fines and costs along with restitution, the order of payment must be victim compensation fund first, restitution second, and then other payments.

HOUSE OF REPRESENTATIVES

House Bill 116
Sponsors, Representatives William A. Oberle, Jr., and James F. Edwards
Signed by the Governor 7/7/81

This bill clarifies standards of admissibility of evidence when a chemical test of a person's blood, breath, or urine for alcohol is used in a trial for traffic violations.

House Bill 120
Sponsors, Representatives William A. Oberle, Jr., James F. Edwards, Terry R. Spence, and Philip J. Corrozi and Senator Thomas B. Sharp
Signed by the Governor 7/7/81

This bill requires Family Court to order the Motor Vehicle Division to revoke or suspend the license of any juvenile convicted of driving under the influence until he or she reaches the age of 20. Such revocation or suspension may not be waived for at least 6 months and then only if the juvenile completes a rehabilitation course and demonstrates a critical need for the license.

House Bill 132
Sponsors, Representatives Robert W. Riddagh, Michael J. Harrington, Robert S. Powell, and Gerard A. Cain and Senators Robert T. Connor, William M. Murphy, Jr., and Jacob W. Zimmerman
Signed by the Governor 6/30/81

This bill repealed various sections of the Delaware Code which have been superseded by the recently adopted Uniform Rules of Evidence.

House Bill 147
Sponsors, Representatives Robert W. Riddagh, Michael J. Harrington, Robert S. Powell, and Gerard A. Cain and Senators Robert T. Connor, William M. Murphy, Jr., and Jacob W. Zimmerman
Signed by the Governor 6/30/81

This bill adopts the Uniform Declaratory Judgments Act.

House Bill 152
Sponsors, Representatives William A. Oberle, Jr., Richard Sincock, Terry R. Spence, and Michael J. Harrington
Signed by the Governor 7/7/81

This act allows the Court of Chancery to authorize guardianships over the property of persons who own property in Delaware but do not reside here.

House Bill 215
Sponsor, Representative Casimir S. Jonkiert
Signed by the Governor 7/14/81

This bill permits Prothonotaries to invest money they are holding for costs or fees in short-term certificates of deposit to yield greater interest.

House Bill 243
Sponsors, Representatives Robert W. Riddagh and Senator James T. Vaughn, Sr.
Signed by the Governor 7/7/81

This bill removes jurisdiction over the felonies of sexual misconduct and promoting prostitution in the first degree from Family Court to Superior Court.

House Bill 330
Sponsors, Representatives Richard C. Cathcart, Gerard A. Cain, Jeffrey G. Mack, Kevin W. Free, William A. Oberle, Jr., Robert F. Gilligan, and Casimir S. Jonkiert and Senators Herman M. Holloway, Sr., Andrew G. Knox, and Harris B. McDowell, III
Signed by the Governor 7/7/81

This bill provides that the Sheriff of New Castle County receives a salary set by County ordinance and shall not receive any fees, costs, or allowances paid to or collected by him for any official service carried out by him as Sheriff.